

# **APPENDIX A – 2**

## **Project Selection Processes**

**2004 Regional Transportation Improvement Program (RTIP)**

**MTC Resolution No. 3608**



Date: December 17, 2003  
W.I.: 1515  
Referred by: PAC  
Revised: 02/25/04-C

ABSTRACT

Resolution No. 3608, Revised

This resolution adopts the policies, procedures and project selection criteria for developing the 2004 Regional Transportation Improvement Program (RTIP) for the San Francisco Bay Area, for submission to the California Transportation Commission (CTC), consistent with the provisions of Senate Bill 45 (Chapter 622, Statutes 1997).

The resolution was revised on February 25, 2004 to include policy related to Transportation Enhancement (TE) and Planning, Programming and Monitoring (PPM) funding.

Further discussion of these actions is contained in the MTC Executive Director's Memorandum to the MTC Programming and Allocations Committee dated December 10, 2003.

- Attachment 1        –     Policies, Procedures and Project Selection Criteria for the 2004 RTIP (with attachments)
- Attachment 2        –     STIP Amendment / Extension Rules and Procedures

Date: December 17, 2003  
W.I.: 1515  
Referred by: PAC

RE: Adoption of 2004 Regional Transportation Improvement Program (RTIP)  
Policies and Procedures

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 3608

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC has adopted and periodically revises, pursuant to Government Code Sections 66508 and 65080, a Regional Transportation Plan (RTP); and

WHEREAS, MTC biennially adopts, pursuant to Government Code Section 65080, a Regional Transportation Improvement Program (RTIP) that is submitted, pursuant to Government Code Section 14527, to the California Transportation Commission (CTC) and the California Department of Transportation (Caltrans); and

WHEREAS, MTC has developed, in cooperation with Caltrans, operators of publicly owned mass transportation services, congestion management agencies, countywide transportation planning agencies, and local governments, policies, procedures and project selection criteria to be used in the development of the 2004 RTIP, to include projects programmed in fiscal years 2004-05 through 2008-09; and

WHEREAS, using the process and criteria set forth in the Attachments to this resolution, attached hereto as though set forth at length, a set of capital priorities for the 2004 Regional Transportation Improvement Program (RTIP) will be developed; and

WHEREAS, the 2004 RTIP will be subject to public review and comment; now, therefore, be it

RESOLVED, that MTC approves the process and criteria to be used in the evaluation of candidate projects for inclusion in the 2004 RTIP, as set forth in Attachment 1 of this resolution, and be it further

RESOLVED, that MTC approves the STIP Amendment / Extension Rules and Procedures to be used in processing STIP amendment and extension requests, as set forth in Attachment 2 of this resolution, and be it further

RESOLVED, that the Executive Director or designee will revise the proposed County Share Balances for the 2004 RTIP as shown in Attachment B of the 2004 RTIP Policies and Procedures, to reflect the final 2004 State Transportation Improvement Program (STIP) Fund Estimate as adopted or amended by the CTC, and be it further

RESOLVED, that the Executive Director shall forward a copy of this resolution, and such other information as may be required to the CTC, Caltrans, and to such other agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

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Steve Kinsey, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on December 17, 2003.

Date: December 17, 2003  
W.I.: 1515  
Referred by: PAC  
Revised: 02/25/04-C

Attachment 1  
Resolution No. 3608  
Page 1 of 36

**2004 RTIP  
Regional Transportation Improvement Program  
Policies, Procedures,  
and Project Selection Criteria**

**December 17, 2003**

**MTC Resolution No. 3608  
Attachment 1**

**Metropolitan Transportation Commission  
Programming and Allocations Section  
<http://www.mtc.ca.gov/funding.htm>**

**2004 RTIP  
Regional Transportation Improvement Program  
Policies and Procedures  
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## **2004 Regional Transportation Improvement Program (RTIP) Policies and Procedures**

### **Background**

The State Transportation Improvement Program (STIP) provides funding for a significant number of transportation projects around the State. As the Regional Transportation Planning Agency (RTPA) for the Bay Area, the Metropolitan Transportation Commission (MTC) is responsible for developing regional project priorities for the STIP for the nine counties of the Bay Area.

The Regional Transportation Improvement Program (RTIP) is the region's proposal to the State for STIP funding. This Resolution establishes MTC's policies, procedures and project selection criteria for developing the 2004 RTIP, due to the California Transportation Commission (CTC) by April 12, 2004. The 2004 STIP will include programming for the five fiscal years from 2004-05 through 2008-09.

As a result of the State budget situation, the 2004 RTIP will be an exercise of respreading the remaining unallocated projects currently programmed in the 2002 RTIP. Although additional programming capacity has been identified in the last year the STIP, the CTC is not allowing access to these funds at this time, to accommodate the large amount of advanced programming within the STIP. Over \$500 million has been advanced in the 2002 STIP statewide. The CTC has decided to allow the new programming capacity to remain unprogrammed, so the advanced projects do not need to be deprogrammed.

### **Guiding Principles**

The following principles will frame the development of MTC's 2004 RTIP, the region's contribution to the 2004 STIP.

- Due to the financial challenges facing the State, no additional programming capacity is available for the programming of new projects. This means the 2004 RTIP will be an exercise of rescheduling projects from early years to the later years of the RTIP. What little capacity is made available will not be accessible until FY 2008-09.
- Investments made in the RTIP must carry out the objectives of the Regional Transportation Plan (RTP), and be consistent with its improvements and programs.
- MTC may choose to consult with counties to consider programming a portion of their RTIP shares for projects that will have a regionwide benefit. Among these considerations would be operational projects intended to improve the performance of the metropolitan transportation system as a whole and projects proposed for the Interregional Transportation Improvement Program (ITIP).

- MTC and the Partnership developed a strategy for programming federal and state funds to ensure that a balanced, reasonable mix of high priority transportation projects is achieved at the regional level. This strategy was adopted by the Commission as Resolution No. 3053. Pursuant to that policy, the following factors must be considered in the development of priorities and procedures for programming STIP funds and federal funds available under TEA-21 reauthorization:
  - The diverse nature of the Bay Area transportation system requires multi-modal investments.
  - A strategic mix of various fund sources will be required to meet the divergent needs of large versus small projects, and/or differences in the financial capabilities of their Partnership sponsors.
  - Maintaining and sustaining the existing system through replacement and rehabilitation of its infrastructure, coupled with effective management of that system, are high regional priorities in the RTP and must be provided for. However, strategic expansion investments consistent with MTC's Regional Transportation Plan (RTP) will be best accommodated with STIP programming.
  - Investments made in the RTIP must be consistent with federal Title VI requirements. Title VI prohibits discrimination on the basis of race, color, income, and national origin in programs and activities receiving federal financial assistance. The provisions of Title VI must be followed in the solicitation and selection of project candidates for the RTIP.

### **Key Policies and Guidance**

The following policies serve as the primary guidance in the development of the 2004 RTIP.

### **RTP Consistency**

The Partnership has established a policy of "100 percent funding" for transit capital shortfalls as identified in the 2001 Regional Transportation Plan (RTP). Programming policies governing the STIP and other flexible, multi-modal discretionary funding sources such as the federal Surface Transportation Program (STP) and the Congestion Mitigation and Air Quality (CMAQ) funds need to be responsive to that policy. Updated transit capital and local streets and roads shortfall estimates over the 25-year period of the upcoming 2005 RTP have been submitted to County Congestion Management Agencies (CMAs). Each CMA which has an indicated shortfall must document any new projects proposed for the 2004 RTIP that are credited against that shortfall target, and include a statement of how future STIP county shares will be considered in addressing remaining shortfall needs. We anticipate future RTIP and STP/ CMAQ guidelines will be further refined to address this long-range planning requirement, consistent with the policies of the 2005 RTP.

### **CTC Guidance**

The policies of MTC for the 2004 RTIP are based on the STIP guidelines developed for the 2004 STIP and as adopted by the California Transportation Commission (CTC) on December 11, 2003. Portions of the CTC STIP Guidelines which may be useful in programming projects for the 2004 RTIP are incorporated into the screening requirements of these policies and procedures. The entire CTC STIP Guidelines are available on the internet at: <http://www.dot.ca.gov/hq/transprog/stip>.

All CMAs and project sponsors are required to follow the MTC and CTC STIP guidelines in the development and carrying out of the 2004 RTIP and STIP.

#### **2004 RTIP Development Schedule**

Development of the 2004 RTIP under these procedures will be done in accordance with the schedule outlined in Attachment A of these policies and procedures.

#### **RTIP County Share Targets**

The 2004 RTIP will be an exercise of respreading existing project funding to fit within annual county share targets identified by the CTC in the 2004 STIP Fund Estimate. Any additional programming capacity, as identified in Attachment B, will be severely limited and generally not available for programming in the 2004 STIP.

Attachment C-1 of the Policies and Procedures provides the preliminary county share targets for each county for the 2004 RTIP. Each county's project list, due to MTC in draft form by January 9, 2004, must be constrained within these county share limits unless arrangements have been made with other counties to aggregate the county share targets. These targets are based on the figures in the Draft Fund Estimate released by Caltrans in November 2003. The final county share programming targets will be established in the 2004 STIP Fund Estimate adopted by the CTC on December 11, 2003, or as subsequently amended by the CTC. It is expected that MTC's RTIP will be developed using a region-wide aggregate of county-share targets.

#### **RTIP Project Solicitation**

Each county congestion management agency (CMA), or countywide transportation planning agency for those counties that have opted out of the CMA requirement, is responsible for soliciting projects for its county share of the RTIP. The CMA must notify all eligible project sponsors, including Caltrans, of the process and deadlines for applying for RTIP funding, recognizing the expanded project eligibility allowed under SB 45. The CMA (or countywide transportation planning agency) must consider equitable solicitation and selection of project candidates in accordance with federal Title VI requirements.

#### **Public Involvement Process**

The Metropolitan Transportation Commission (MTC) is committed to having the congestion management agencies (CMAs) as full partners in development of the RTIP. That participation likewise requires the full commitment of the CMAs to a broad, inclusive public involvement process. Federal regulations call for active outreach strategies in any metropolitan planning process, but opportunities for the public to get involved are especially important with the project selection process for the RTIP.

Below are suggestions for congestion management agencies to use in seeking suggestions and comments on proposed projects that will be submitted to MTC for inclusion in the 2004 RTIP. Further guidance is contained in the CMA Guidelines for Public Involvement Strategy for the Transportation 2030 Plan.

- Hold an appropriate number of public meetings to adequately cover the major population centers and sub-areas within the county. These meetings should be structured to ensure the inclusion of the views and concerns of low-income and minority communities covered under Title VI of the Civil Rights Act.
- Provide for the public the key decision milestones in the process, so that interested residents can follow the process and know in advance when the CMA board will take final action.
- In addition to the public meetings above, provide and publicize opportunities for affected stakeholders to comment about county projects at regularly scheduled meetings of the CMA policy board.
- Make a concerted effort to publicize meetings to a wide range of interest organizations and residents, including groups representing low-income and minority communities.

#### **Title VI Compliance**

Investments made in the RTIP must be consistent with federal Title VI requirements. Title VI prohibits discrimination on the basis of race, color, income, and national origin in programs and activities receiving federal financial assistance. Public outreach to and involvement of individuals in low income and minority communities covered under Title VI of the Civil Rights Act and the Executive Order pertaining to Environmental Justice is critical to both local and regional decisions. The CMA must consider equitable solicitation and selection of project candidates in accordance with federal Title VI requirements.

#### **Federal Transportation Enhancement (TE) Funds**

The CTC has adopted a policy to reform the manner in which federal Transportation Enhancement (TE) funds are programmed in the State. During the Transportation Efficiency Act for the Twenty-First Century (TEA-21), the regional TE funds were programmed by the regions under the provisions of AB 1012 (Chapter 783, Statutes of 1999 - Torlakson). With TEA-21 Reauthorization, the CTC has reformed the State's TE programming policy, and is implementing the regional TE program through the STIP under the SB 45 (Chapter 622, Statutes 1997) process.

During the 6-year period from FY 2003-04 through FY 2008-09, half of the TE funding available to the region will be made available for the County Transportation for Livable Communities (TLC) program, and the remaining half will be available for the counties to program at their discretion. Due to the limited funding in the STIP, and the timing of the TLC programming cycle, the county discretionary TE funding will utilize the TE capacity for the first three years, and none of the last three years of the STIP. The County TLC program will utilize none of the STIP TE capacity in the first three years, and all of the TE capacity in the last three years. In response to SB 45 Timely Use of funding requirements, it may be necessary to make adjustments to the actual fiscal year of funding of County TE discretionary and County TE TLC projects. The CMAs and MTC staff will work together in meeting the SB 45 deadlines for TE funding.

### **Caltrans Project Nomination**

Senate Bill 1768 (Chapter 472, Statutes 2002) authorizes the Department of Transportation to nominate or recommend projects to be included in the RTIP to improve state highways using regional transportation improvement funds. To be considered for funding in the RTIP, the Department must submit project nominations directly to the applicable CMA (or countywide transportation planning agency for those counties that have opted out of the CMA requirement). The Department should also identify any additional state highway improvement needs within the county that could be programmed within the 3 years beyond the end of the current STIP period. The Department must submit these programming recommendations and identification of state highway improvement needs to the CMA within the timeframe and deadline prescribed by the applicable CMA (generally 60-90 days prior to the CMA submittal of the proposed RTIP candidates to MTC, and 180 days prior to MTC's submittal of the RTIP to the CTC).

Whenever Department programming recommendations or nominations are not included in the CMA's RTIP proposal, the CMA must identify those recommendations and provide an explanation of its reasons for not accepting them with its submittal to MTC. Where the Department has identified unprogrammed State highway improvement needs and the CMA's proposed RTIP funding includes programming for rehabilitation or improvement projects off the State highway system, the CMA must identify those needs and provide either an explanation of how funding to meet the State highway improvement needs will be met or provide an explanation for its reason for not reserving RTIP county share to preserve future capacity for meeting those needs. These explanations should be made with reference to the regional transportation plan, the cost effective use of state funds, and the evaluation of the cost-effectiveness and performance measures of the CMA's RTIP Candidate submittal, as specified in Section 19 of the CTC STIP Guidelines.

### **Project Eligibility**

SB 45 (Chapter 622, Statutes 1997) considerably expanded the range of projects that are eligible for consideration in the RTIP. Eligible projects include, state highway improvements, local road improvements and rehabilitation, public transit, intercity rail, pedestrian, and bicycle facilities, and grade separation, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety.

### **Project Analysis**

Projects included in the RTIP must be consistent with the adopted Regional Transportation Plan (RTP), and included in a Congestion Management Plan (CMP) or Capital Improvement Program (CIP). Furthermore, evaluation of the effectiveness of the projects proposed in the RTIP is considered to have been performed as part of the system wide analysis of the regional transportation investments of the RTP. The value of the RTIP projects is affirmed by their contribution toward implementing the goals and policies of the Regional Transportation Plan. The CMA's submittal of the candidate projects for inclusion in the RTIP should be accompanied by a report on the performance and cost effectiveness of the projects, in accordance with Section 19 of the CTC Guidelines.

### **Accommodations for Bicyclists, Pedestrians and Persons with Disabilities**

Federal, state and regional policies and directives emphasize the accommodation of bicyclists, pedestrians, and persons with disabilities when designing transportation facilities. Of particular note is Caltrans Deputy Directive 64 which stipulates: “pedestrians, bicyclists and persons with disabilities must be considered in all programming, planning, maintenance, construction, operations, and project development activities and products.” MTC’s Regional Bicycle Plan, adopted as a component of the 2001 RTP, requires that “all regionally funded projects consider enhancement of bicycle transportation consistent with Deputy Directive 64”.

In selecting projects for inclusion in the RTIP, the CMAs and project sponsors must consider federal, state and regional policies and directives regarding non-motorized travel, including, but limited to, the following:

#### **Federal Policy Mandates**

TEA-21 states that, "Bicycle transportation facilities and pedestrian walkways shall be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation projects, except where bicycle and pedestrian use are not permitted." (Section 1202)

The Federal Highways Administration Program Guidance on bicycle and pedestrian issues makes a number of clear statements of intent, and provides a best practices concept as outlined in the US DOT Policy Statement on Integrating Bicycling and Walking into Transportation Infrastructure.” (<http://www.fhwa.dot.gov/environment/bikeped/Design.htm>)

#### **State Policy Mandates**

California Government Code Section 65089(b)(1)(B)(5) requires that the design, construction and implementation of roadway projects proposed for funding in the RTIP must consider maintaining bicycle access and safety at a level comparable to that which existed prior to the improvement or alteration.

Caltrans Deputy Directive 64 (<http://www.dot.ca.gov/hq/tpp/offices/bike/DD64.pdf>), states: “the Department fully considers the needs of non-motorized travelers (including pedestrians, bicyclists, and persons with disabilities) in all programming, planning, maintenance, construction, operations, and project development activities and products. This includes incorporation of the best available standards in all of the Department’s practices. The Department adopts the best practices concept in the US DOT Policy Statement on Integrating Bicycling and Walking into Transportation Infrastructure.”

#### **Regional Policy Mandates**

All projects programmed in the RTIP must consider the impact to bicycle transportation, pedestrians and persons with disabilities. Furthermore, it is encouraged that all bicycle projects programmed in the RTIP support the Regional Bicycle Network. Guidance on considering

bicycle transportation can be found in MTC's 2001 Regional Bicycle Plan (a component of the 2001 RTP) and Caltrans Deputy Directive 64. MTC's Regional Bicycle Plan, containing federal, state and regional policies for accommodating bicycles and non-motorized travel, is available on MTC's Web site at: <http://www.mtc.ca.gov/projects/rtp/bicycle.htm>

#### **Grant Anticipation Revenue Vehicle (GARVEE) Bonding**

Chapter 862 of the Statutes of 1999 (SB 928) authorizes the State Treasurer to issue GARVEE bonds and authorizes the California Transportation Commission (CTC) to select projects for accelerated construction from bond proceeds. Bond repayment is made through annual set asides of the county share of future State Transportation Improvement Program (STIP) funds. Bond repayments are typically made over several STIP programming periods.

In accordance with state statute and the CTC GARVEE guidelines, GARVEE debt repayment will be the highest priority for programming and allocation within the particular county Regional Improvement Program (RIP) share until the debt is repaid. In the event that the RIP county share balance is insufficient to cover the GARVEE debt service and payment obligations, the RIP county share balance for that particular county will become negative through the advancement of future RIP county share. Should a negative balance or advancement of capacity be unattainable, then funding for other projects using RIP county share within that particular county would need to be reprogrammed or deleted, to accommodate the GARVEE debt service and payment obligations.

The CTC is responsible for programming the funds, derived from federal sources, as GARVEE debt service and the State Treasurer is responsible for making the debt service payments for these projects.

#### **AB 3090 Project Replacement or Reimbursement**

AB 3090 (Statutes of 1992, Chapter 1243) allows a local jurisdiction to advance a project included in the STIP to an earlier fiscal year through the use of local funds. With the concurrence of the appropriate transportation planning agency, the California Transportation Commission and Caltrans, one or more replacement state transportation project shall be identified and included in the STIP for an equivalent amount and in the originally scheduled fiscal year or a later year of the advanced project. Alternately, the advanced project can be reimbursed in the originally scheduled fiscal year or a later year.

The allocation of AB 3090 reimbursement projects is the highest priority in the MTC region.

#### **AB 872 Advance Expenditure of Funds**

AB 872 (Statutes of 2001, Chapter 815) authorizes a regional or local entity to expend its own funds for any component of a transportation project within its jurisdiction that is included in the current fiscal year's state transportation improvement program and for which the commission has not made an allocation. The amount expended would be authorized to be reimbursed by the state, subject to annual appropriation by the Legislature, if (1) the commission makes an allocation for, and the department executes a fund transfer agreement for, the project during the same fiscal year

as when the regional or local expenditure was made; (2) expenditures made by the regional or local entity are eligible for reimbursement in accordance with state and federal laws and procedures; and (3) the regional or local entity complies with all legal requirements for the project, as specified.

MTC discourages the use of AB 872 to expend funds in the programmed year prior to allocation by the CTC until the state financial situation stabilizes. Allocation of funds in the year programmed is not guaranteed due to the current state financial situation. Therefore, sponsors are exposing themselves to the risk of expending local funds with no guarantee that the STIP funds will be allocated.

Should a sponsor want to proceed with an AB 872 request, the sponsor must notify Caltrans in writing on agency letterhead in accordance with Caltrans Local Assistance procedures.

#### **AB 608 Contract Award Provisions**

AB 608 authorizes the adjustment by the CTC of a programmed project amount in the STIP if the construction contract award amount for a project is less than 80% of the engineer's final estimate, excluding construction engineering.

The CTC will not approve any AB 608 request after 120 days from the contract award. Sponsors intending to take advantage of AB 608 project savings must notify Caltrans within 30 days of the contract award, to ensure the request to the CTC can be processed in time to meet the CTC's deadline.

#### **Caltrans Quality Assurance Oversight**

For projects on the state highway system, the Department of Transportation must verify that procedures are adequate to ensure completed work conforms to established standards, policies, and practices. The Department must perform this quality assurance as part of its responsibility for the planning, design, construction, maintenance, and operation of the state highway system (Government Code 14520.3 (b)).

The Department will charge a fee for its quality assurance oversight services on all state highway project components implemented by an agency other than the Department, as prescribed in the Department's document on "Implementing Agency Responsibilities for State Transportation Improvement Program (STIP) projects on State Highways" and as identified in the project cooperative agreement. Generally, the Department will withhold ten percent from the STIP funds allocated by the CTC for this purpose, unless other funding has been made available through the cooperative agreement.

All requests for funding in the RTIP for projects on the state highway system and implemented by an agency other than the Department must include the Caltrans Assurance of Quality (CAQ) fee within each project component cost, as identified in the cooperative agreement. This is to ensure sufficient funding is available for the project component, and, if necessary, that the additional ten percent CAQ fee is included within the RIP funding.

### **Payback of County Share Loan to Napa County**

MTC Resolution 3442 provides a guarantee for the repayment of a loan of 2002 RTIP shares from Napa County to Sonoma, Marin and San Francisco counties. Marin, Sonoma and San Francisco were facing funding shortfalls in their 2002 RTIP and Napa was leaving a large portion of its RTIP share unprogrammed, banking it for future projects that are currently under development. As the region revised the 2002 RTIP to respond to the funding constraints announced by the CTC, it became apparent that Napa's unprogrammed balance could be used by Marin, Sonoma, and San Francisco. Such a loan would ensure that critical U.S. 101 widening projects could move forward as originally scheduled, and keep Napa's funds within the region, rather than be loaned out elsewhere in the State.

In accordance with MTC Resolution 3442, the number one priority for Marin, San Francisco, and Sonoma counties for the 2004 and 2006 RTIP is to payback the 2002 STIP loan from Napa County.

### **Santa Clara GARVEE Debt Service**

In accordance with MTC Resolution 3538, the debt service for the I-880/Coleman Avenue, SR-87 HOV Lanes (SR 85 to I-280), and the SR-87 HOV Lanes (I-280-Julian Street) projects will be paid from the Santa Clara County RIP county share balance. In the event that the Santa Clara County RIP county share balance is insufficient to cover the GARVEE debt service and payment obligations, the Santa Clara County RIP county share balance will become negative through the advancement of future Santa Clara County RIP county share. Should a negative balance or advancement of capacity be unattainable, then funding for other projects using Santa Clara County RIP county share would need to be reprogrammed or deleted, to accommodate the GARVEE debt service and payment obligations.

### **Regional Planning, Programming and Monitoring (PPM) funds**

MTC will utilize up to one half of the regional PPM funds for Planning, Programming and Monitoring activities during the county share period covering the first four years of the 2004 State Transportation Improvement Program (STIP) - FY 2004-05 through FY 2007-08. This equates to one-half of one-percent of the Regional Improvement Program (RIP) funds for the region, with each County Congestion Management Agency (CMA) able to claim the remaining one-half percent for its STIP Planning Programming and Monitoring activities during this period. The 2004 STIP PPM funds will cover PPM expenses for MTC for the 2004 STIP period.

Counties needing more than the PPM made available to them during this county share period may program STIP funds to be swapped with more flexible Surface Transportation Program (STP) funds, to be used by the County CMAs for planning, programming, monitoring and project delivery purposes based on the availability of STIP and STP funding.

The use of PPM shares will be revisited in the 2006 STIP programming cycle. It is expected that revenues will be greater in the county share period covering FY 2008-09 through FY 2011-12, and therefore, it may not be necessary for MTC to utilize half of the PPM available to the region.

PPM programming policy decisions for the STIP county share period FY 2008-09 through FY 2011-12 will be made in the 2006 STIP programming cycle. Following the 2006 STIP, programming decisions for using regional PPM share will be determined for each county share period, during every-other STIP programming cycle.

### **Project Advancements**

If a project or project component is ready for implementation earlier than the fiscal year that it is programmed in the STIP, the implementing agency may request an allocation in advance of the programmed year. The CTC will consider making advanced allocations based on a finding that the allocation will not delay availability of funding for other projects programmed in earlier years than the project to be advanced and with the approval of the responsible regional agency if county share funds are to be advanced. Due to the current state financial situation, project advancements are unlikely during the 2004 STIP period. In project and financial planning, sponsors should not expect the CTC to advance any projects.

### **Programming to Reserves**

The counties and the region may propose to leave county share STIP funds unprogrammed for a time to allow adequate consideration of funding options for future projects. The CTC particularly encourages Caltrans and the regional agencies to engage in early consultations to coordinate their ITIP and RTIP proposals for such projects. Counties intending to maintain an unprogrammed balance of its county share for future program amendments prior to the next STIP must include a statement of the intentions for the funds, including the anticipated use of the funds, as well as the amount and timing of the intended STIP amendment(s). However, access to any unprogrammed balance is subject to availability of funds in the State Highway Account, and is not expected to be approved by the CTC during the 2004 STIP programming cycle.

### **Advance Project Development Element**

Additional funding is available for programming of project development components through the Advance Project Development Element (APDE) of the STIP. This equates to 25 percent of the estimated programming capacity for the two years beyond the STIP period (2009-10 and 2010-11). Funds that have been programmed from past STIP APDEs are carried over as a debit against programming capacity. Once a project funded within the STIP APDE moves to construction, the funding within the APDE for that project is deducted from the programming capacity of the county share.

The CTC will be treating the programming of funds in the county share period, as well as the funds programmed within the APDE for projects that have gone to construction, as advances against future STIP period county shares. Amounts programmed under these provisions will be deducted from the regular county share in the next STIP.

For the 2004 STIP, all projects formally identified as APDE projects will no longer be identified as APDE by the CTC. These projects will be allowed to remain in the 2004 RTIP and will be subject to the same limitations and programming constraints as any other project. Accordingly, reference to these projects as 'APDE' projects will be removed from the 2004 RTIP. It is not expected that the CTC will be programming APDE projects in the 2004 STIP.

### **Countywide RTIP Listing**

By January 9, 2004, each county Congestion Management Agency or countywide transportation planning agency must submit to MTC a draft proposed countywide RTIP project listing showing the respreading of county shares. The final list is due to MTC by January 28, 2004, and must include the final project applications for any new projects added to the STIP (or any significantly revised existing STIP projects).

### **Project Screening Criteria, Including Readiness**

In addition to the CTC Guidelines, all projects included in the 2004 RTIP must meet all MTC project screening Criteria listed in Attachment D of this guidance. Of utmost importance are the project readiness requirements.

### **RTIP Applications**

Project sponsors must complete an application for each new project proposed for funding in the RTIP, consisting of the items included in Attachment E of this guidance. Project sponsors are to use the fact and fund sheets provided by Caltrans for any new projects. The nomination sheet must be submitted electronically for upload into the regional and statewide databases.

### **Regional Projects**

Applications for projects with regionwide or multi-county benefits should be submitted to both MTC and the affected county CMAs for review. Regional projects will be considered for programming in the context of other county project priorities. MTC staff will work with the affected parties (CMAs and project sponsors) to determine the appropriate level of funding for these projects and negotiate county contributions of the project cost. County contributions would be based on population shares of the affected counties, or other agreed upon distribution formulas.

### **85-115% Adjustments**

MTC may, pursuant to Streets and Highways Code Section 188.8 (k), pool the county shares within the region, provided that each county shall receive no less than 85 percent and not more than 115 percent of its county share for any single STIP programming period and 100 percent of its county share over two STIP programming cycles.

MTC may recommend use of the 85%-115% rule provided for in SB 45 to ensure, as needed, that the proper scope of projects submitted for programming can be accommodated. MTC will also work with CMAs to recommend other options, such as phased programming across STIP cycles, to ensure that sufficient funding and concerns such as timely use of funds are adequately addressed.

### **Timely Use of Funds Provisions and Deadlines**

SB 45 established strict timely use of funds and project delivery requirements for transportation projects programmed in the STIP. Missing critical milestones could result in deletion of the project from the STIP, and a permanent loss of the funds to the county and region. Therefore, these timely use of funds deadlines must be considered in programming the various project phases in the STIP. While SB 45 provides some flexibility with respect to these deadlines by allowing for deadline extensions under certain circumstances, the CTC has made it very clear that deadline extensions will be the exception rather than the rule.

Project sponsors must be certain that they can meet all of the timely use of funds deadlines imposed by SB 45 as described below.

### **Allocation**

Funds programmed in the STIP for all components of local grant projects and for Caltrans construction capital must receive an allocation from the CTC by the end of the fiscal year in which the funds are programmed. Funds not allocated or extended by the CTC within this deadline are deleted from the STIP with the funds returning to the county in the next county share period. The next county share period begins July 1, 2008, with the following share period beginning July 1, 2012.

### **Award**

Funds allocated for construction or for purchase of equipment must be encumbered by the award of a contract within twelve months of the date of the allocation. Federal funds for transit projects are considered encumbered and expended upon completion of the fund transfer from Federal Highway Administration (FHWA) to Federal Transit Administration (FTA). Funds not encumbered by the award of a contract, or transferred to FTA, or extended by the CTC within this deadline are permanently lost to the region, with no adjustment to the county share balance.

### **Expenditure**

Funds allocated for local project development or right of way costs must be expended by the end of the second fiscal year following the fiscal year in which the funds were allocated. Funds allocated for construction or for the purchase of equipment must be expended within 36 months of award of the contract. Funds not expended, or transferred to FTA, or extended by the CTC within the expenditure deadline are permanently lost to the region, with no adjustment to the county share balance.

### **Reimbursement**

For local grant projects, the sponsor has 180 days after contract acceptance (completion of expenditure of funds) to make the final payment to the contractor or vendor, prepare the final Report of Expenditure and submit the final invoice to Caltrans for reimbursement. Funds not reimbursed or extended by the CTC within the reimbursement deadline are permanently lost to the region, with no adjustment to the county share balance.

Note for Transit Projects: Funds programmed and allocated for transit projects are considered obligated as soon as they are transferred to the Federal Transit Administration (FTA). Federal funds for such projects will be considered encumbered and expended upon completion of the fund transfer to FTA. State funds allocated to match the federal funds for such projects will be subject to the timely use of funds provisions described above.

For each of these deadlines, the project sponsor may request the CTC (following CMA and MTC concurrence) to extend the deadlines no more than one time and only if the CTC finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and will in no event be for more than 20 months.

In addition to the Timely Use of Funds provisions of SB 45, the California Transportation Commission has strengthened its STIP Amendment policy by prohibiting amendments for funds programmed in the current fiscal year.

#### **Notice of Contract Award**

Caltrans has developed a procedure (Local Programs Procedures LPP-01-06) requiring project sponsors to notify Caltrans immediately after the award of a contract. Furthermore, Caltrans will not make any reimbursements for expenditures until such information is provided. Project sponsors must also notify MTC immediately after the award of a contract. To ensure proper monitoring of the Timely Use of Funds provisions of SB 45, project sponsors are required to provide MTC and the county CMA with a copy of the LPP-01-06 "Award Information for STIP Projects – Attachment A" form, when it is submitted to Caltrans. This will assist MTC and the CMA in maintaining the regional project monitoring database, and ensure accurate reporting on the status of projects in advance of potential funding lapses.

#### **State-Only Funding**

Most projects programmed in the STIP receive a combination of state and federal funds. However, the CTC, with the concurrence of Caltrans, may approve state only funds on a case-by-case basis. Requesting state only funding may be justified, for example, for a local roadway project off of the federal aid system, which would be ineligible to receive federal funding.

Caltrans will be determining the availability of state-only funding in the STIP on an annual basis in conjunction with adoption of the state budget. Therefore, Caltrans will be revisiting the approved state-only funding eligibility categories on an annual basis, with the possibility of only guaranteeing state-only funding for projects in the current fiscal year. Caltrans is aware of the needs of project sponsors to know in advance whether the project will be state-only funded, and will therefore review requests on a project by project basis.

For all state-only funding requests there must be a notation of such a request in the "Special Funding Conditions or Terms" section of the RTIP Fund and Fact Sheet. For project sponsors requesting

state-only funding for projects that do not meet the pre-approved state-only funding categories, sponsors must also include a copy of the Caltrans "Request for Exception to Project Funding Policy" form as part of their RTIP application submittal. The original must be sent directly to Caltrans, HQ Budgets for processing and approval by Caltrans prior to MTC submittal of the final RTIP to the CTC on April 1, 2004. This includes any request for STIP PTA matching funds for Article XIX restricted projects.

State-only funds are currently approved for the following:

- All capital projects under \$750,000 with the exception of park and ride and bus stop projects costing \$30,000 or more and safety and railroad projects on State Highways costing \$100,000 or more.
- State funds used to match federal funds.
- STIP rideshare projects
- Rail projects not eligible for federal funding, and are not for acquiring rolling stock.
- STIP Planning, Programming, and Monitoring (PPM) funding.
- Projects recommended by Caltrans approved by the CTC at the time of programming
- Projects granted exceptions by Caltrans (requires Request for Exception to Project Funding Policy Form)

It is encouraged that project sponsors requesting state-only funding, do so at the time the project is initially programmed in the STIP, rather than waiting until the allocation of funds. The availability of state-only funding varies dramatically year to year, which may result in these funds being unavailable at the time of allocation. Therefore, to guarantee state-only funding, the project sponsor must request state-only funds at the time of programming.

Due to the State's financial challenges, it is expected that State-only funding will be extremely limited in the 2004 STIP.

### **Matching Requirements**

A local match is not required for projects programmed in the STIP, except under special situations affecting projects subject to Article XIX restrictions established by the State Constitution. Article XIX limits the use of state revenues in the State Highway Account (SHA) to state highways, local roads, and fixed guideway facilities. Other projects, such as rail rolling stock and buses, are not eligible to receive state funds from the SHA. Article XIX restricted projects must therefore be funded with either a combination of federal STIP funding and matching STIP funds from the Public Transportation Account (PTA), or with 100 percent federal STIP funds in the State Highway Account (which requires a non-federal local match of 11.47% from a non-STIP local funding source).

It is expected that the availability of Public Transportation Account (PTA) funds as match for Article XIX restricted projects will be extremely limited for the 2004 STIP. Project sponsors wishing to use STIP PTA funds as matching funds for Article XIX restricted projects must note such a request in the "Special Funding Conditions" section of the RTIP Application Nomination sheet, and obtain

approval from Caltrans through the state-only approval process as previously described. Otherwise, the CTC will assume any Article XIX restricted STIP project will be funded with 100 percent federal funds.

**STIP Amendment/Extension Procedure**

The STIP amendment and extensions process has been updated and is incorporated as Attachment 2 of this resolution. Project sponsors will be required to follow this process in addition to any procedures imposed by the CTC, Caltrans or the CMAs, for all STIP amendment and extension requests. Of particular interest is the requirement for the development of a 'STIP History' to accompany all requests to delay construction. The 'STIP History' outlines the project's construction history as programmed in the STIP with particular attention to any previous delays and reason for previous and current delay. It must note the original inclusion of the project construction component in the STIP and each prior project construction STIP amendment delay including for each, the amendment date, the dollar amount programmed for construction, and the scheduled year of construction delay. It must also include a statement on the financial impact of the construction delay on the project, and an estimated funding source for the additional funds necessary to complete the project under the delayed schedule. Also, the expanded delegation of authority to the MTC Executive Director for letters of concurrence on STIP amendments and extensions will reduce the time needed for an agency to complete the STIP amendment and extension requests to the CTC.

<b>2004 RTIP</b> <b>Metropolitan Transportation Commission</b> <b>Regional Transportation Improvement Program</b> <b>Development Schedule</b> <b>REVISED February 10, 2004</b>	
June 4, 2003	Presentation of initial outstanding issues for RTIP Policies and Procedures to FWG
July 2, 2003	Finance Working Group (FWG) review of proposed RTIP Policies and Procedures
July 21, 2003	Partnership Technical Advisory Committee (PTAC) review of Draft proposed RTIP Policies
August 1, 2003	CMAAs begin solicitation of project proposals from eligible sponsors
September 25, 2003	Caltrans presents cash flow forecast and revenue assumptions to CTC
Oct/Nov/Dec 2003	MTC works with CMAAs and project sponsors on regional project proposals
November 24, 2003	Caltrans presents Draft STIP Fund Estimate to CTC
December 3, 2003	PAC review and recommendation of final proposed RTIP Policies and Procedures
December 11, 2003	CTC adopts STIP Fund Estimate and STIP Guidelines
December 17, 2003	Commission adopts 2004 RTIP Policies and Procedures
January 9, 2004	CMAAs submit fact and fund sheets and proposed RTIP project listing to MTC
January 28, 2004	Final changes to Fact and Fund sheets to reflect any unforeseen changes in Final STIP Fund Estimate, due to MTC. Final PSR (or PSR Equivalent), Resolution of Local Support and Certification of Assurances due to MTC (Final Complete Applications due)
March 3, 2004	Programming and Allocations Committee (PAC) review – authorize public hearing and release of draft RTIP
March 5, 2004	Circulate draft RTIP for public comment
March 24, 2004	Public Hearing (at Commission Meeting)
April 5, 2004	PTAC Review of 2004 RTIP
April 6, 2004	Close of public comment period for 2004 RTIP
April 12, 2004	2004 RTIP due to CTC
April 14, 2004	PAC Review of 2004 RTIP – Refer to Commission for approval
April 28, 2004	Commission approves 2004 RTIP
May 1, 2004	2005 TIP - Development Process Starts (TIP 'Locked Down' – No TIP Amendments until Oct)
May 12, 2004	CTC 2004 STIP Hearing – Northern California
May 12, 2004	2005 TIP – PAC review – authorize release of draft 2005 TIP and public hearing
May 18, 2004	2005 TIP – Start of Public Comment Period
June 9, 2004	2005 TIP – Public Hearing (at PAC Meeting)
June 16, 2004	CTC 2004 STIP Hearing – Southern California
June 22, 2004	2005 TIP – Close of public comment period for 2005 TIP
July 14, 2004	2005 TIP – PAC review and recommendation of proposed final 2005 TIP
July 16, 2004	CTC Staff Recommendations on 2004 STIP released
July 28, 2004	2005 TIP – Commission approves 2005 TIP
July 30, 2004	2005 TIP - submitted to Caltrans
August 5, 2004	CTC adopts 2004 STIP
October 1, 2004	2005 TIP - Approved by FHWA and FTA

Shaded Area - 2005 TIP schedule

**2004 RTIP**  
**METROPOLITAN TRANSPORTATION COMMISSION**  
**Regional Transportation Improvement Program**  
**Attachment B: Draft 2004 RTIP County Share Balances**  
**DRAFT 2004 STIP FUND ESTIMATE**  
**November 20, 2003**

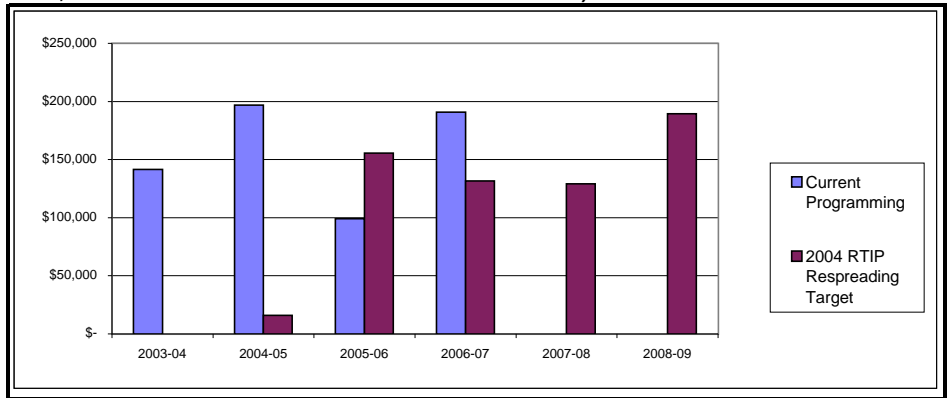
County	2004 STIP Formula Distribution for FY 2004/05 to FY 2007/08	2004 STIP Formula Distribution for FY 2008-09	Total Formula Distribution for 2004 RTIP	2002 STIP Unprogrammed Balance or (Advance) (as of Nov 20, 2003)	01-02 / 02-03 Lapsed Funds Returned to County (as of Nov 20, 2003)	2000 STIP APDE * 'Gone to Construction' (as of Aug 23, 2001)	TOTAL Estimated 2004 RTIP Programming Capacity	4th Year County Share Period Advance	Potential Total	2004 STIP APDE Programming Capacity	2002 STIP APDE Programmed ** (as of Aug 23, 2001)	2004 STIP APDE Net Available	Total Programming Available
Alameda	(\$32,058,000)	\$38,947,000	\$6,889,000	(\$21,116,000)	\$269,000	\$0	(\$13,958,000)	\$0	(\$13,958,000)	\$0	\$0	\$0	(\$13,958,000)
Contra Costa	(\$20,778,000)	\$25,244,000	\$4,466,000	\$11,762,000	\$5,270,000	\$0	\$21,498,000	\$0	\$21,498,000	\$0	\$0	\$0	\$21,498,000
Marin	(\$6,071,000)	\$7,376,000	\$1,305,000	(\$521,000)	\$251,000	\$0	\$1,035,000	\$0	\$1,035,000	\$0	\$0	\$0	\$1,035,000
Napa	(\$3,762,000)	\$4,571,000	\$809,000	\$13,011,000	\$0	\$0	\$13,820,000	\$0	\$13,820,000	\$0	\$0	\$0	\$13,820,000
San Francisco	(\$16,381,000)	\$19,902,000	\$3,521,000	(\$13,902,000)	\$389,000	\$0	(\$9,992,000)	\$0	(\$9,992,000)	\$0	\$0	\$0	(\$9,992,000)
San Mateo	(\$16,870,000)	\$20,496,000	\$3,626,000	\$0	\$265,000	\$0	\$3,891,000	\$0	\$3,891,000	\$0	\$0	\$0	\$3,891,000
Santa Clara	(\$37,533,000)	\$45,599,000	\$8,066,000	\$5,525,000	\$1,805,000	\$0	\$15,396,000	\$0	\$15,396,000	\$0	\$0	\$0	\$15,396,000
Solano	(\$9,839,000)	\$11,953,000	\$2,114,000	(\$350,000)	\$737,000	\$0	\$2,501,000	\$0	\$2,501,000	\$0	\$0	\$0	\$2,501,000
Sonoma	(\$12,010,000)	\$14,591,000	\$2,581,000	(\$16,201,000)	\$246,000	\$0	(\$13,374,000)	\$0	(\$13,374,000)	\$0	\$0	\$0	(\$13,374,000)
MTC Region Total:	(\$155,302,000)	\$188,679,000	\$33,377,000	(\$21,792,000)	\$9,232,000	\$0	\$20,817,000	\$0	\$20,817,000	\$0	\$0	\$0	\$20,817,000

**2004 RTIP**  
**METROPOLITAN TRANSPORTATION COMMISSION**  
**2004 Regional Transportation Improvement Program (RTIP)**  
**MTC Region - Program Summary**  
**March 3, 2004**

(amounts in thousands)

(Amounts Available after take-downs for Previously Allocated Funds, GARVEEs and AB 3090 Reimbursement Commitments)

County	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	Current Programming
<b>RTIP - Current Programming</b>							
Alameda	\$ 18,045	\$ 37,064	\$ 47,891	\$ 48,369	\$ -	\$ -	\$ 151,369
Contra Costa	\$ 11,302	\$ 44,623	\$ 1,650	\$ 18,791	\$ -	\$ -	\$ 76,366
Marin	\$ 37,761	\$ 1,107	\$ 6,344	\$ 305	\$ -	\$ -	\$ 45,517
Napa	\$ 709	\$ 2,000	\$ -	\$ -	\$ -	\$ -	\$ 2,709
San Francisco	\$ 26,963	\$ 1,493	\$ 7,678	\$ 21,063	\$ -	\$ -	\$ 57,197
San Mateo	\$ 6,273	\$ 44,628	\$ 11,890	\$ 25,690	\$ -	\$ -	\$ 88,481
Santa Clara	\$ 16,261	\$ 9,975	\$ 1,979	\$ 20,713	\$ -	\$ -	\$ 48,928
Solano	\$ 8,304	\$ 5,875	\$ 19,428	\$ 16,535	\$ -	\$ -	\$ 50,142
Sonoma	\$ 15,970	\$ 49,981	\$ 2,200	\$ 39,400	\$ -	\$ -	\$ 107,551
<b>Total</b>	<b>\$ 141,588</b>	<b>\$ 196,746</b>	<b>\$ 99,060</b>	<b>\$ 190,866</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 628,260</b>



County	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	Total Target
<b>2004 RTIP - Respending Target</b>							
Alameda	\$ -	\$ 3,790	\$ 36,659	\$ 31,012	\$ 30,392	\$ 49,516	\$ 151,369
Contra Costa	\$ -	\$ 2,400	\$ 23,216	\$ 19,640	\$ 19,247	\$ 12,059	\$ 76,562
Marin	\$ -	\$ 1,447	\$ 14,002	\$ 11,845	\$ 11,610	\$ 613	\$ 39,517
Napa	\$ -	\$ 101	\$ 975	\$ 825	\$ 808	\$ 111	\$ 2,820
San Francisco	\$ -	\$ 1,095	\$ 10,589	\$ 8,958	\$ 8,779	\$ 27,717	\$ 57,138
San Mateo	\$ -	\$ 2,641	\$ 25,552	\$ 21,616	\$ 21,184	\$ 17,223	\$ 88,216
Santa Clara	\$ -	\$ 69	\$ 666	\$ 564	\$ 552	\$ 47,077	\$ 48,928
Solano	\$ -	\$ 1,481	\$ 14,331	\$ 12,124	\$ 11,882	\$ 10,249	\$ 50,067
Sonoma	\$ -	\$ 3,066	\$ 29,661	\$ 25,092	\$ 24,591	\$ 24,914	\$ 107,324
<b>Total</b>	<b>\$ -</b>	<b>\$ 16,090</b>	<b>\$ 155,651</b>	<b>\$ 131,676</b>	<b>\$ 129,045</b>	<b>\$ 189,479</b>	<b>\$ 621,941</b>

County	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	Current Programming
<b>TE - Target</b>							
Alameda	\$ -	\$ 3,460	\$ 1,847	\$ 1,884	\$ 1,921	\$ 1,960	\$ 11,072
Contra Costa	\$ -	\$ 2,243	\$ 1,197	\$ 1,221	\$ 1,245	\$ 1,270	\$ 7,176
Marin	\$ -	\$ 655	\$ 350	\$ 357	\$ 364	\$ 371	\$ 2,097
Napa	\$ -	\$ 406	\$ 217	\$ 221	\$ 225	\$ 230	\$ 1,299
San Francisco	\$ -	\$ 1,768	\$ 944	\$ 963	\$ 981	\$ 1,001	\$ 5,657
San Mateo	\$ -	\$ 1,821	\$ 972	\$ 991	\$ 1,011	\$ 1,031	\$ 5,826
Santa Clara	\$ -	\$ 4,051	\$ 2,162	\$ 2,205	\$ 2,250	\$ 2,294	\$ 12,962
Solano	\$ -	\$ 1,062	\$ 567	\$ 578	\$ 590	\$ 601	\$ 3,398
Sonoma	\$ -	\$ 1,296	\$ 692	\$ 706	\$ 720	\$ 734	\$ 4,148
<b>Total</b>	<b>\$ -</b>	<b>\$ 16,762</b>	<b>\$ 8,948</b>	<b>\$ 9,126</b>	<b>\$ 9,307</b>	<b>\$ 9,492</b>	<b>\$ 53,635</b>

County	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	Total Net
<b>2004 RTIP - Net</b>							
Alameda	\$ (18,045)	\$ (33,274)	\$ (11,232)	\$ (17,357)	\$ 30,392	\$ 49,516	\$ -
Contra Costa	\$ (11,302)	\$ (42,223)	\$ 21,566	\$ 849	\$ 19,247	\$ 12,059	\$ 196
Marin	\$ (37,761)	\$ 340	\$ 7,658	\$ 11,540	\$ 11,610	\$ 613	\$ (6,000)
Napa	\$ (709)	\$ (1,899)	\$ 975	\$ 825	\$ 808	\$ 111	\$ 111
San Francisco	\$ (26,963)	\$ (398)	\$ 2,911	\$ (12,105)	\$ 8,779	\$ 27,717	\$ (59)
San Mateo	\$ (6,273)	\$ (41,987)	\$ 13,662	\$ (4,074)	\$ 21,184	\$ 17,223	\$ (265)
Santa Clara	\$ (16,261)	\$ (9,906)	\$ (1,313)	\$ (20,149)	\$ 552	\$ 47,077	\$ -
Solano	\$ (8,304)	\$ (4,394)	\$ (5,097)	\$ (4,411)	\$ 11,882	\$ 10,249	\$ (75)
Sonoma	\$ (15,970)	\$ (46,915)	\$ 27,461	\$ (14,308)	\$ 24,591	\$ 24,914	\$ (227)
<b>Total</b>	<b>\$ (141,588)</b>	<b>\$ (180,656)</b>	<b>\$ 56,591</b>	<b>\$ (59,190)</b>	<b>\$ 129,045</b>	<b>\$ 189,479</b>	<b>\$ (6,319)</b>

County	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	Current Programming
<b>2004 RTIP and TE Respending Target</b>							
Alameda	\$ -	\$ 7,250	\$ 38,506	\$ 32,896	\$ 32,313	\$ 51,476	\$ 162,441
Contra Costa	\$ -	\$ 4,643	\$ 24,413	\$ 20,861	\$ 20,492	\$ 13,329	\$ 83,738
Marin	\$ -	\$ 2,102	\$ 14,352	\$ 12,202	\$ 11,974	\$ 984	\$ 41,614
Napa	\$ -	\$ 507	\$ 1,192	\$ 1,046	\$ 1,033	\$ 341	\$ 4,119
San Francisco	\$ -	\$ 2,863	\$ 11,533	\$ 9,921	\$ 9,760	\$ 28,718	\$ 62,795
San Mateo	\$ -	\$ 4,462	\$ 26,524	\$ 22,607	\$ 22,195	\$ 18,254	\$ 94,042
Santa Clara	\$ -	\$ 4,120	\$ 2,828	\$ 2,769	\$ 2,802	\$ 49,371	\$ 61,890
Solano	\$ -	\$ 2,543	\$ 14,898	\$ 12,702	\$ 12,472	\$ 10,850	\$ 53,465
Sonoma	\$ -	\$ 4,362	\$ 30,353	\$ 25,798	\$ 25,311	\$ 25,648	\$ 111,472
<b>Total</b>	<b>\$ -</b>	<b>\$ 32,852</b>	<b>\$ 164,599</b>	<b>\$ 140,802</b>	<b>\$ 138,352</b>	<b>\$ 198,971</b>	<b>\$ 675,576</b>

**2004 RTIP**  
**METROPOLITAN TRANSPORTATION COMMISSION**  
**2004 Regional Transportation Improvement Program (RTIP)**  
**MTC Region - TE Targets**  
**December 17, 2003**  
(amounts in thousands)

County	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	Percentage Share	Total
<b>Total TE - Target</b>								
Alameda	\$ -	\$ 3,460	\$ 1,847	\$ 1,884	\$ 1,921	\$ 1,960	20.64%	\$ 11,072
Contra Costa	\$ -	\$ 2,243	\$ 1,197	\$ 1,221	\$ 1,245	\$ 1,270	13.38%	\$ 7,176
Marin	\$ -	\$ 655	\$ 350	\$ 357	\$ 364	\$ 371	3.91%	\$ 2,097
Napa	\$ -	\$ 406	\$ 217	\$ 221	\$ 225	\$ 230	2.42%	\$ 1,299
San Francisco	\$ -	\$ 1,768	\$ 944	\$ 963	\$ 981	\$ 1,001	10.55%	\$ 5,657
San Mateo	\$ -	\$ 1,821	\$ 972	\$ 991	\$ 1,011	\$ 1,031	10.86%	\$ 5,826
Santa Clara	\$ -	\$ 4,051	\$ 2,162	\$ 2,205	\$ 2,250	\$ 2,294	24.17%	\$ 12,962
Solano	\$ -	\$ 1,062	\$ 567	\$ 578	\$ 590	\$ 601	6.34%	\$ 3,398
Sonoma	\$ -	\$ 1,296	\$ 692	\$ 706	\$ 720	\$ 734	7.73%	\$ 4,148
<b>Total</b>	\$ -	\$ 16,762	\$ 8,948	\$ 9,126	\$ 9,307	\$ 9,492	100.00%	\$ 53,635

88.5000% \$ 18,940 \$2,178

County	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	Percentage Share	Total
<b>County TLC - Possible Available TE Funding</b>								<b>\$ 27,000</b>
Alameda	\$ -	\$ 1,742	\$ 930	\$ 948	\$ 967	\$ 987	20.64%	\$ 5,574
Contra Costa	\$ -	\$ 1,129	\$ 603	\$ 615	\$ 627	\$ 639	13.38%	\$ 3,612
Marin	\$ -	\$ 330	\$ 176	\$ 180	\$ 183	\$ 187	3.91%	\$ 1,056
Napa	\$ -	\$ 204	\$ 109	\$ 111	\$ 113	\$ 116	2.42%	\$ 654
San Francisco	\$ -	\$ 890	\$ 475	\$ 485	\$ 494	\$ 504	10.55%	\$ 2,848
San Mateo	\$ -	\$ 917	\$ 489	\$ 499	\$ 509	\$ 519	10.86%	\$ 2,933
Santa Clara	\$ -	\$ 2,039	\$ 1,088	\$ 1,110	\$ 1,133	\$ 1,155	24.17%	\$ 6,525
Solano	\$ -	\$ 535	\$ 285	\$ 291	\$ 297	\$ 303	6.34%	\$ 1,711
Sonoma	\$ -	\$ 652	\$ 348	\$ 355	\$ 362	\$ 369	7.73%	\$ 2,088
50.34%								
<b>Total</b>	\$ -	\$ 8,438	\$ 4,504	\$ 4,594	\$ 4,685	\$ 4,778	100.00%	\$ 27,000

County	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	Percentage Share	Total
<b>County Discretionary - Possible Available TE Funding</b>								
Alameda	\$ -	\$ 1,718	\$ 917	\$ 936	\$ 954	\$ 973	20.64%	\$ 5,498
Contra Costa	\$ -	\$ 1,114	\$ 594	\$ 606	\$ 618	\$ 631	13.38%	\$ 3,564
Marin	\$ -	\$ 325	\$ 174	\$ 177	\$ 181	\$ 184	3.91%	\$ 1,041
Napa	\$ -	\$ 202	\$ 108	\$ 110	\$ 112	\$ 114	2.42%	\$ 645
San Francisco	\$ -	\$ 878	\$ 469	\$ 478	\$ 487	\$ 497	10.55%	\$ 2,809
San Mateo	\$ -	\$ 904	\$ 483	\$ 492	\$ 502	\$ 512	10.86%	\$ 2,893
Santa Clara	\$ -	\$ 2,012	\$ 1,074	\$ 1,095	\$ 1,117	\$ 1,139	24.17%	\$ 6,437
Solano	\$ -	\$ 527	\$ 282	\$ 287	\$ 293	\$ 298	6.34%	\$ 1,687
Sonoma	\$ -	\$ 644	\$ 344	\$ 351	\$ 358	\$ 365	7.73%	\$ 2,060
49.66%								
<b>Total</b>	\$ -	\$ 8,324	\$ 4,444	\$ 4,532	\$ 4,622	\$ 4,714	100.00%	\$ 26,635

Note: Actual year of Programming of TE Funds will vary from the Targets shown

**2004 Regional Transportation Improvement Program  
Policies and Procedures  
Attachment D: 2004 RTIP Project Screening Criteria**

**Eligible Projects**

- A. Eligible Projects.** SB 45 (Chapter 622, Statutes 1997) expanded the range of projects that are eligible for consideration in the RTIP. Eligible projects include, state highway improvements, local road improvements and rehabilitation, public transit, intercity rail, pedestrian, and bicycle facilities, and grade separation, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety.

**Planning Prerequisites**

- B. RTP Consistency.** Projects included in the RTIP must be consistent with the adopted Regional Transportation Plan (RTP), which state law requires to be consistent with federal planning and programming requirements. Each project to be included in the RTIP must identify its relationship with meeting the goals and objectives of the RTP, and where applicable, the RTP ID number and/or RTP travel corridor and whether the project is to be credited against the county's transit capital shortfall target.
- C. CMP Consistency.** Local projects must also be included in a County Congestion Management Plan (CMP), or in an adopted Capital Improvement Program (CIP) for counties that have opted out of the CMP requirement, prior to inclusion in the RTIP.
- D. PSR or PSR Equivalent is Required.** Projects in the STIP must have a complete project study report or, for a project that is not on a state highway, a project study report equivalent or major investment study. The intent of this requirement is to ensure that the project scope, cost and schedule have been adequately defined and justified. This requirement is particularly important in light of SB 45 timely use of funds requirements, discussed below.

The required format of a PSR or PSR equivalent varies by project type. Additional guidance on how to prepare these documents is available on the internet at the addresses indicated within Part 3 (Project Study Report (PSR), or equivalent) of Attachment E: 2004 RTIP Project Application, which includes a table categorizing PSR and PSR equivalent requirements by project type.

**Project Costs and Phases**

- E. Escalated Costs.** All projects will count against share balances on the basis of their fully escalated (inflated) costs. All RTIP project costs must be escalated to the year in which project delivery is proposed.

As required by law, inflation estimates for Caltrans operations (support) costs are based on the annual escalation rate established by the Department of Finance. For the 2004 STIP the escalation

rate for Caltrans operations is 2.7 percent. The annual inflation factor for Caltrans capital projects is based on the California Highway Construction Cost Index. For the 2004 STIP period the escalation rate for Caltrans capital construction is 3.4 percent.

Local project sponsors may use the state escalation rates or their own rates in determining the escalated project cost in the year programmed.

**F. Project Phases.** Projects must be separated into the following project components:

1. Completion of all permits and environmental studies (ENV)
2. Preparation of all Plans, Specifications, and Estimates (PSE)
3. Acquisition of right-of-way (ROW)
4. Construction and construction management and engineering, including surveys and inspections.” (CON)

*Note: Right-of-way and construction components on Caltrans projects must be further separated into capital costs and Caltrans support costs (ROW-CT and CON-CT).*

The project sponsor/CMA must display the project in these four components (six for Caltrans projects) in the final submittal. STIP funding amounts programmed for any component shall be rounded to the nearest \$1,000.

All requests for funding in the RTIP for projects on the state highway system and implemented by an agency other than the Department must include the Caltrans Assurance of Quality (CAQ) fee within each project component cost, as identified in the cooperative agreement. This is to ensure sufficient funding is available for the project component, and, if necessary, that the additional ten percent CAQ fee is included within the RIP funding.

**G. Minimum Project Size.** New projects or project components cannot be programmed for less than \$100,000, with the following exceptions:

- (a) Projects eligible for Federal Transportation Enhancement (TE) funding.
- (b) Funds to match Regional Surface Transportation Program (STP) or Congestion Mitigation and Air Quality (CMAQ).
- (c) Planning, Programming and Monitoring (PPM)
- (d) Projects for landscaping and mitigation of State highway projects, including soundwalls.
- (e) Caltrans project support components not allocated by the Commission.
- (f) Right-of-way capital outlay for Caltrans, which is not allocated by the Commission on a project basis.

**H. Fiscal Years of Programming.** The 2004 STIP covers the five-year period from FY 2004-05 through 2008-09. No new projects will be programmed in FY 2003-04. This includes the programming of any unprogrammed balances from the 2002 STIP. What little capacity is made available in the 2004 STIP, will generally be limited to FY 2008-09. Therefore, project sponsors

should not expect any new programming for new projects or new project components until FY 2008-09.

### **Readiness Standards**

- I. Project Phases Must Be Ready in the Year Proposed.** Funds designated for each project component will only be available for allocation until the end of the fiscal year in which the funds are programmed in the STIP. Once allocated, the sponsor will have two additional years to expend funds. For construction, the sponsor will have one year to award a contract and three years to expend funds. It is therefore very important that projects be ready to proceed in the year programmed.
- J. Completion of Environmental Process.** Government Code Section 14529(c) requires that funding for right-of-way acquisition and construction for a project may be included in the STIP only if the CTC makes a finding that the sponsoring agency will complete the environmental process and can proceed with right-of-way acquisition or construction within the five year STIP period. Furthermore, in compliance with Section 21150 of the Public Resources Code, the CTC may not allocate funds to local agencies for design, right-of-way, or construction prior to documentation of environmental clearance under the California Environmental Quality Act (CEQA). Therefore, project sponsors must demonstrate to MTC that these requirements can be reasonably expected to be met prior to programming right-of-way or construction funds in the RTIP.
- K. Programming Project Components in Sequential STIP Cycles.** Project components may be programmed sequentially. That is, a project may be programmed for environmental work only, without being programmed for plans, specifications, and estimates (design). A project may be programmed for design without being programmed for right-of-way or construction. A project may be programmed for right-of-way without being programmed for construction. The CTC recognizes a particular benefit in programming projects for environmental work only, since projects costs and particularly project scheduling often cannot be determined with meaningful accuracy until environmental studies have been completed. As the cost, scope and schedule of the project is refined, the next phases of the project may be programmed with an amendment or in a subsequent STIP.

When proposing to program only preconstruction components for a project, the implementing agency must demonstrate the means by which it intends to fund the construction of a useable segment, consistent with the regional transportation plan or the Caltrans interregional transportation strategic plan. The anticipated total project cost and source of any uncommitted future funding must be identified.

- L. Sequential Phasing.** For most projects, the different project phases should be programmed sequentially in the STIP, i.e. environmental before design before right of way before construction.

Projects with significant right of way acquisition or construction costs that require more than a simple Categorical Exemption or basic permitting approvals, must not be programmed with the right of way and construction components in the same year as the environmental. Project sponsors must provide sufficient time between the scheduled allocation of environmental funds and the start of design, right of way or construction.

**M. The Project Must Be Fully Funded.** All local projects must be accompanied by an authorizing resolution stating the sponsor's commitment to complete the project as scoped with the funds requested. A model resolution including the information required is outlined in Attachment E - Part 1 of this guidance.

The CTC will program a project component only if it finds that the component itself is fully funded, either from STIP funds or from other committed funds. The CTC will regard non-STIP funds as committed when the agency with discretionary authority over the funds has made its commitment to the project by ordinance or resolution. For federal formula funds, including RSTP, CMAQ, and Federal formula transit funds, the commitment may be by Federal TIP adoption. For federal discretionary funds, the commitment may be by federal approval of a full funding grant agreement or by grant approval.

All regional agencies with rail transit projects shall submit full funding plans describing each overall project and/or useable project segment. Each plan shall list Federal, State, and local funding categories by fiscal year over the time-frame that funding is sought, including funding for initial operating costs. Moreover, should the project schedule exceed the funding horizon, then the amount needed beyond what is currently requested shall be indicated. This information may be incorporated in the project application nomination sheets.

**N. Field Review for Federally Funded Local Projects.** One way to avoid unnecessary STIP amendment and extension requests is to conduct a field review as early as possible, so potential issues may be identified with sufficient time for resolution.

By requesting funding for a federally-funded project in the RTIP, the project sponsor agrees to contact Caltrans and schedule and make a good faith effort to complete a project field review within 6-months of the project being included in the Transportation Improvement Program (TIP). For the 2004 STIP, Caltrans field reviews should be completed by April 1, 2005 for federal aid projects programmed in FY 2004-05, 2005-06, and 2006-07. The requirement does not apply to planning activities, state-only funded projects, or STIP funds to be transferred to the Federal Transit Administration (FTA).

### **Other Requirements**

- O. Availability for Audits.** Sponsors must agree to be available for an audit if requested. Government Code Section 14529.1 “The commission [CTC] shall request that the entity receiving funds accept an audit of funds allocated to it by the commission, if an audit is deemed necessary.”
- P. Interregional Projects May Be Proposed Under Some Restrictive Circumstances.** The project must be a usable segment and be more cost-effective than a Caltrans alternative project. Government Code Section 14527 (c) “A project recommended for funding by the RTPA in the Interregional Improvement Program shall constitute a usable segment, and shall not be a condition for inclusion of other projects in the RTIP.” Government Code Section 14529 (k) “... the commission [CTC] must make a finding, based on an objective analysis, that the recommended project is more cost-effective than a project submitted by the department...”
- Q. Premature Commitment of Funds.** The project sponsor may not be reimbursed for expenditures made prior to the allocation of funds by the CTC (or by Caltrans under delegation authority), unless the provisions of Assembly Bill 872 (Chapter 572, Statutes of 1999 – Section 14529.7 of the Government Code) are met in accordance with the CTC Guidelines for Implementation of AB872. Under no circumstances may funds be reimbursed for expenditures made prior to the funds being programmed in the STIP. In addition, the sponsor must make a written request to Caltrans prior to incurring costs, in accordance with Caltrans Locals Assistance Procedures for AB 872 implementation.
- R. State-Only Funding.** For all state-only funding requests there must be a notation of such a request in the “Special Funding Conditions or Terms” section of the RTIP Fact and Fund Sheet. For project sponsors requesting state-only funding for projects that do not meet the pre-approved state-only funding categories, sponsors should also include a copy of the Caltrans “Request for Exception to Project Funding Policy” form as part of their RTIP application submittal. The original must be sent directly to Caltrans, HQ Budgets for processing and approval by Caltrans prior to MTC submittal of the final RTIP to the CTC on April 1, 2004. This includes any request for STIP PTA matching funds for Article XIX restricted projects.

**2004 Regional Transportation Improvement Program (RTIP)**

**Attachment E: 2004 RTIP Project Application**

Project sponsors must submit a completed project application for each project proposed for funding in the 2004 RTIP. The application consists of the following four to five parts and are available on the internet (as applicable) at: <http://www.mtc.ca.gov/funding.htm>

- 1a. Resolution of local support \*
- 1b. Opinion of legal counsel \*
2. Local agency certification of assurances
3. Project Study Report (PSR), or equivalent
4. RTIP project nomination sheet (with maps) (must be submitted electronically)
5. Copy of State-Only Funding Request Exception Form (Only if requesting state-only funding and the project is not on pre-approved state-only eligible funding list. Original request is to be submitted directly to Caltrans HQ Budgets for processing and approval prior to MTC submittal of the RTIP to the CTC on March 1, 2004).

- \* Project sponsor has the option to incorporate language into the Resolution of Local support – see note below

\* NOTE: Project sponsors have the option of consolidating the ‘Opinion of Legal Counsel’ within the Resolution of Local Support, by incorporating the following statements into the Resolution of Local Support:

***Resolved, that (agency name) is an eligible sponsor of projects in the State Transportation Improvement Program; and be it further***

***Resolved, that (agency name) is authorized to submit an application for State Transportation Improvement Program funds for (project name); and be it further***

***Resolved, that there is no legal impediment to (agency name) making applications for Regional Improvement Program funds; and be it further***

***Resolved, that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of (agency name) to deliver such project; and be it further***

If the above language is not provided within the Resolution of Local Support, an Opinion of Legal Counsel is required as provided in Part 1b

## **RTIP Project Application**

### **Part 1: Sample Resolution of Local Support**

**Resolution No. \_\_\_\_\_**

Whereas, SB 45 (Chapter 622, Statutes 1997) substantially revised the process for estimating the amount of state and federal funds available for transportation projects in the state and for appropriating and allocating the available funds to these projects; and

Whereas, as part of that new process, the Metropolitan Transportation Commission (MTC) is responsible for programming projects eligible for Regional Improvement Program funds, pursuant to Government Code Section 14527(b), for inclusion in the Regional Transportation Improvement Program, and submission to the California Transportation Commission, for inclusion in the State Transportation Improvement Program; and

Whereas, MTC has requested eligible transportation project sponsors to submit applications nominating projects to be programmed for Regional Improvement Program funds in the Regional Transportation Improvement Program; and

Whereas, applications to MTC must be submitted consistent with procedures, conditions, and forms it provides transportation project sponsors; and

Whereas, (agency name) is a sponsor of transportation projects eligible for Regional Improvement Program funds; and

Whereas, the RTIP project nomination sheet of the project application, attached hereto and incorporated herein as though set forth at length, lists the project, purpose, schedule and budget for which (agency name) is requesting that MTC program Regional Improvement Program funds for inclusion in the Regional Transportation Improvement Program; and

Whereas, Part 2 of the project application, attached hereto and incorporated herein as though set forth at length, includes the certification by (agency name) of assurances required by SB 45 in order to qualify the project listed in the RTIP project nomination sheet of the project application for programming by MTC; now, therefore, be it

Resolved, that (agency name) approves the assurances set forth in Part 2 of the project application, attached to this resolution; and be it further

Resolved, that (agency name) has reviewed the project and has adequate staffing resources to deliver and complete the project within the schedule set forth in the RTIP project nomination sheet of the project application, attached to this resolution; and be it further

Resolved, that (agency name) is an eligible sponsor of projects in the State Transportation Improvement Program; and be it further

Resolved, that (agency name) is authorized to submit an application for State Transportation Improvement Program funds for (project name); and be it further

Resolved, that there is no legal impediment to (agency name) making applications for Regional Improvement Program funds; and be it further

Resolved, that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of (agency name) to deliver such project; and be it further

Resolved, that (agency name) authorizes its (Executive Director, General Manager, or his/her designee) to execute and file an application with MTC to program Regional Improvement Program funds into the Regional Transportation Improvement Program, for the projects, purposes and amounts included in the project application attached to this resolution; and be it further

Resolved, that a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the (agency name) application referenced herein.

## RTIP Project Application

### Part 1b: Sample Opinion of Legal Counsel

Project sponsors have the option of including specified terms and conditions within the Resolution of Local Support as included in Part 1. If a project sponsor elects not to include the specified language within the Resolution of Local Support, then the sponsor shall provide MTC with a current Opinion of Counsel stating that the agency is an eligible sponsor of projects for the State Transportation Improvement Program; that the agency is authorized to perform the project for which funds are requested; that there is no legal impediment to the agency applying for the funds; and that there is no pending or anticipated litigation which might adversely affect the project or the ability of the agency to carry out the project. A sample format is provided below.

(Date)

To: Metropolitan Transportation Commission  
Fr: (Applicant)  
Re: Eligibility for State Transportation Improvement Program (STIP) funds

This communication will serve as the requisite opinion of counsel in connection with the application of (Applicant) \_\_\_\_\_ for funding from the State Transportation Improvement Program (STIP) made available pursuant to the State Transportation Funding Plan, Streets and Highways Code Section 163 et. seq.:

1. (Applicant) \_\_\_\_\_ is an eligible sponsor of projects for the STIP.
2. (Applicant) \_\_\_\_\_ is authorized to submit an application for STIP funding for (project) \_\_\_\_\_.
3. I have reviewed the pertinent state laws and I am of the opinion that there is no legal impediment to (Applicant) \_\_\_\_\_ making applications for STIP funds. Furthermore, as a result of my examinations, I find that there is no pending or threatened litigation which might in any way adversely affect the proposed projects, or the ability of (Applicant) \_\_\_\_\_ to carry out such projects.

Sincerely,

\_\_\_\_\_  
Legal Counsel

\_\_\_\_\_  
Print name

**RTIP Project Application**  
**Part 2: Certification of Assurances**

The implementing agency certifies that the project for which Regional Improvement Program funding is requested meets the following project screening Criteria. **Please initial each.**

1. The project is eligible for consideration in the RTIP. Pursuant to Streets and Highways Code Section 164 (e), eligible projects include improving state highways, local roads, public transit, intercity rail, pedestrian, and bicycle facilities, and grade separation, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety. \_\_\_\_\_
2. For the funds requested, no costs have/will be incurred prior to adoption into the STIP by the CTC. \_\_\_\_\_
3. A Project Study Report (PSR) or PSR equivalent has been prepared for the project. \_\_\_\_\_
4. The project budget included in Part 2 of the project application reflects current costs updated as of the date of application and escalated to the appropriate year. \_\_\_\_\_
5. The project is included in a local congestion management program (CMP). (Note: For those counties that have opted out of preparing a CMP in accordance with Government Code Section 65088.3, the project must be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation planning agency.) \_\_\_\_\_
6. The year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project. \_\_\_\_\_
7. The project is fully funded. \_\_\_\_\_
8. For projects with STIP federal funds, the implementing agency agrees to contact Caltrans and schedule and complete a field review within six months of the project being adopted or amended into the TIP. \_\_\_\_\_
9. For STIP construction funds, the implementing agency agrees to send a copy of the Caltrans LPP 01-06 "Award Information for STIP Projects – Attachment A" to MTC and the CMA, upon award. \_\_\_\_\_
10. The implementing agency agrees to be available for an audit of STIP funds, if requested. \_\_\_\_\_

The implementing agency also agrees to abide by all statutes, rules and regulations applying to the State Transportation Improvement Program (STIP), and to follow all requirements associated with the funds programmed to the project in the STIP. \_\_\_\_\_

These include, but are not limited to:

1. Environmental requirements: NEPA standards and procedures for all projects with Federal funds; CEQA standards and procedures for all projects programmed with State funds.
2. California Transportation Commission (CTC) requirements for transit projects, formerly associated with the Transit Capital Improvement (TCI) program. These include rules governing right-of-way acquisition, hazardous materials testing, and timely use of funds.
3. Federal Transit Administration (FTA) requirements for transit projects as outlined in FTA regulations and circulars.
4. Federal Highway Administration (FHWA) and Caltrans requirements for highway and other roadway projects as outlined in the Caltrans Local Programs Manual.

5. Federal air quality conformity requirements, and local project review requirements, as outlined in the adopted Bay Area Conformity Revision of the State Implementation Plan (SIP).

## RTIP Project Application

### Part 3: Project Study Report (PSR), or equivalent

The required format of a PSR or PSR equivalent varies by project type. The following table categorizes PSR and PSR equivalent requirements by project type. Additional guidance on how to prepare these documents is available on the internet at the addresses indicated below, or from MTC.

#### Project Study Report (PSR) Requirements PSR and Equivalents by Project Type

Project Type	Type of Document Required *	Where to get more information
State Highway	Full PSR or PD/ENV Only	<a href="http://www.dot.ca.gov/hq/oppd/pdpm/apdx_hm/apdx_1/apdx_1.htm">http://www.dot.ca.gov/hq/oppd/pdpm/apdx_hm/apdx_1/apdx_1.htm</a>  <a href="http://www.dot.ca.gov/hq/oppd/pdpmb/pdp.htm">http://www.dot.ca.gov/hq/oppd/pdpmb/pdp.htm</a>
Local Roadway a. rehabilitation  b. capacity increasing or other project	PSR for local rehabilitation  PSR equivalent – project specific study with detailed scope and cost estimate	<a href="http://www.dot.ca.gov/hq/LocalPrograms/">http://www.dot.ca.gov/hq/LocalPrograms/</a> then look in “Local Programs Publications” and “PSR for local rehab.”  In most cases completing the Preliminary Environmental Study and Field Review forms in the Local Assistance Procedures Manual should be sufficient. These forms can be found at: <u>Preliminary Environmental-</u> <a href="http://www.dot.ca.gov/hq/LocalPrograms/">http://www.dot.ca.gov/hq/LocalPrograms/</a> then look in “publications” and “local assistance manuals” chapter 6 pg 35. Field Review -- <a href="http://www.dot.ca.gov/hq/LocalPrograms/">http://www.dot.ca.gov/hq/LocalPrograms/</a> “publications” and “local assistance manuals” chapter 7 pg 11.
Transit	State of California Uniform Transit Application	<a href="http://www.dot.ca.gov/hq/MassTrans/tfund.htm">http://www.dot.ca.gov/hq/MassTrans/tfund.htm</a>
Traffic Congestion Relief (TCR) Program projects (Specific phase)	TCR program application for the phases of work included in the TCR application	For a Traffic Congestion Relief (TCR) Program project, a TCR program application is considered a PSR equivalent for the phases of work included in the TCR application <a href="http://www.dot.ca.gov/tcrp">http://www.dot.ca.gov/tcrp</a>
Other	PSR equivalent with detailed scope and cost estimate	To be determined on a case by case basis

\* In some instances a Major Investment Study (MIS) prepared under federal guidance may serve as a PSR equivalent where information provided is adequate for programming purposes.

# 2004 STATE TRANSPORTATION IMPROVEMENT PROGRAM

## Project Nomination Sheet (Page A-1) Reformatted - 11/04/2003

Project Information						Fact Sheet Date: 12/04/03		
County	Caltrans District	PPNO *	EA *	Region/MPO/TIP ID*	Element	Route / Corridor *	PM / KP Back *	PM / KP Ahead *
							PM:	PM:
							KP:	KP:
Legislative Districts:	Senate:				Congressional:			
	Assembly:							
Project Sponsor:								
Implementing Agency:	PA&ED: AB 3090? <input type="checkbox"/>				PS&E: AB 3090? <input type="checkbox"/>			
(by component)	R/W: AB 3090? <input type="checkbox"/>				CON: AB 3090? <input type="checkbox"/>			
Project Title:								

\* NOTE: PPNO & EA assigned by Caltrans. Region/MPO/TIP ID assigned by RTPA/MPO. Route/Corridor & PM/KP Back/Ahead used for State Highway System and Intercity Rail projects.

**Location - Project Limits - Description and Scope of Work - (brief)** (State/Region and Area Specific Maps to be included below)

**Transportation Problem to be Addressed by Project and Description of Project Benefits - (brief)**

**Expected Source(s) of Additional Funding Necessary to Complete Project - as Identified Under 'Additional Need' - (brief)**

Requesting State-Only Funds?			
Project Milestones	Date	Doc. Type	Date
Project Study Report (PSR) Complete:		Scheduled Circulation of Draft Environmental Document:	
<b>Project Manager</b> (Person responsible for delivering the project within cost, scope and schedule)			
Name:	Agency:	Phone:	
<b>Project Location Maps – Location Map of Project in State/Region, and Area Specific Map</b>			

**2004 STATE TRANSPORTATION IMPROVEMENT PROGRAM**

**Project Nomination Sheet (Page B-1)**

(dollars in thousands and escalated)

**Date:** 4-Dec-03

County	CT District	PPNO *	EA *	Region/MPO/TIP ID *	Implementing Agency
Project Title:					

\* NOTE: PPNO and EA assigned by Caltrans. Region/MPO/TIP ID assigned by RTPA/MPO

Proposed Total Project Cost							Project Total	Comments:
Component	Prior	04/05	05/06	06/07	07/08	08/09+		
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Existing RTIP Funds							RTIP Program Code: **	
Component	Prior	04/05	05/06	06/07	07/08	08/09	Total	Comments:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Proposed RTIP Funds							RTIP Program Code: **	
Component	Prior	04/05	05/06	06/07	07/08	08/09	Total	Comments:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

\* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines. \*\* Program Code provided by Caltrans

Existing ITIP Funds							ITIP Program Code: **	
Component	Prior	04/05	05/06	06/07	07/08	08/09	Total	Comments:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Proposed ITIP Funds							ITIP Program Code: **	
Component	Prior	04/05	05/06	06/07	07/08	08/09	Total	Comments:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

\* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines. \*\* Program Code provided by Caltrans

Existing 'Grandfathered STIP' Funds							GF Program Code: **	
Component	Prior	04/05	05/06	06/07	07/08	08/09	Total	Comments:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Proposed 'Grandfathered STIP' Funds							GF Program Code: **	
Component	Prior	04/05	05/06	06/07	07/08	08/09	Total	Comments:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

**2004 STATE TRANSPORTATION IMPROVEMENT PROGRAM**  
**Project Nomination Funding Sheet (Page B-2)**

(dollars in thousands and escalated)

**Date:** 4-Dec-03

County	CT District	PPNO	EA	Region/MPO/TIP ID	Implementing Agency
Project Title:					

Comments

Existing Non-STIP Funding - Contributor 1								Agency:
Component	Prior	04/05	05/06	06/07	07/08	08/09+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed Non-STIP Funding - Contributor 1								Agency:
Component	Prior	04/05	05/06	06/07	07/08	08/09+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

\* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines.

Existing Non-STIP Funding - Contributor 2								Agency:
Component	Prior	04/05	05/06	06/07	07/08	08/09+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed Non-STIP Funding - Contributor 2								Agency:
Component	Prior	04/05	05/06	06/07	07/08	08/09+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

\* NOTE: R/W SUP and CON SUP to be used only for projects implemented by Caltrans - See Section 47 & 50 of CTC adopted STIP Guidelines.

Existing Non-STIP Funding - Contributor 3								Agency:
Component	Prior	04/05	05/06	06/07	07/08	08/09+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								
Proposed Non-STIP Funding - Contributor 3								Agency:
Component	Prior	04/05	05/06	06/07	07/08	08/09+	Total	Fund Type:
E&P (PA&ED)								
PS&E								
R/W SUP (CT) *								
CON SUP (CT) *								
R/W								
CON								
TOTAL								

Additional Funding Needs (funding needs not yet committed)										11/12 and Beyond	Project Total
Component	Prior	04/05	05/06	06/07	07/08	08/09	09/10	10/11			
E&P (PA&ED)											
PS&E											
R/W SUP (CT) *											
CON SUP (CT) *											
R/W											
CON											
TOTAL											

# Memorandum

To: **Joan Borucki**  
**Budgets Program - Mail Station 24**

Date:

File:

From:

Subject: Request for Funds/Exception to Project Funding Policy

It is recommended that the California Transportation Commission be requested to vote **AMOUNT** from **DESCRIPTION OF FUNDING SOURCE (BOTH FEDERAL & STATE)** funds in the **FISCAL YEAR** fiscal year for the following project:

**PROJECT DESCRIPTION:**

**JUSTIFICATION:**

- A. Type of work
- B. Need for Project/Proposed Improvements
- C. Status of Project
  - 1) Environmental Clearance Status
  - 2) R/W Clearance Status (If currently R/W certified as #3, when will the certification be upgraded to a #1 or #2?)
  - 3) Status of Construction (if applicable)
- D. Total Project Funding Plan By Fiscal Year (list all funding sources & anticipated fund usage by year)
- E. Allocation
  - 1) Amount of allocation request:
  - 2) Is this a partial allocation request? ☐ YES ☐ NO
  - 3) If this is a partial allocation, what will be the total cost of the project? When will the additional allocation be needed?
  - 4) Is the project identified as State-Only in the adopted programming document?  
☐ YES ☐ NO
  - 5) If requesting State-Only funding, please state specific reasons per project funding policy:
- F. Advertisement: We request that this project be advertised in **MONTH YEAR**.

Date: December 17, 2003  
W.I.: 1515  
Referred by: PAC

Attachment 2  
Resolution No. 3608  
Page 1 of 11

**RTIP  
Regional Transportation Improvement Program  
STIP Amendments / Extensions  
Rules and Procedures**

**December 17, 2003**

**MTC Resolution No. 3608  
Attachment 2**

**Metropolitan Transportation Commission  
Programming and Allocations Section  
<http://www.mtc.ca.gov/funding.htm>**

**RTIP**  
**Regional Transportation Improvement Program**  
**STIP Amendments / Extensions**  
**Rules and Procedures**  
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## **Regional Transportation Improvement Program (RTIP) STIP Amendments / Extensions Rules and Procedures**

### **What is the STIP?**

The State Transportation Improvement Program (STIP) is the State's spending plan for state and federal funding. The STIP is comprised of the Regional Transportation Improvement Program (RTIP) and the Interregional Transportation Improvement Program (ITIP). The program is updated every two years and currently covers a five-year period. STIP funded projects, like all other state and federally funded projects, must be listed in the TIP in order for the sponsor to access the funding. This biennial STIP process is outlined in the attached "STIP Process".

Seventy-five percent (75%) of the funding in the STIP flows to regions by formula through their RTIPs. Regions throughout the state are charged with developing an expenditure plan for the funds. Eligible project types include improvements to state highways, local roads, public transit, intercity rail, pedestrian and bicycle facilities, grade separations, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety.

The remaining 25% of the funding flows to the ITIP, which is a statewide competitive program. This funding is directed to projects that improve interregional transportation. Eligible project types include intercity passenger rail, mass transit guideways, grade separation, and state highways.

### **When are Amendments and Extensions Allowed?**

#### **STIP Amendments**

An amendment may change the cost, scope or schedule of a STIP project and its components. For instance, if the final cost estimate for a project is higher (or lower) than the amount programmed, a STIP amendment may be requested to increase or (decrease) the amount programmed. Or, as a project progresses through project development, it may be time to add the next component or phase. Likewise, if the project schedule is delayed significantly, an amendment may be warranted to request a change in program year of the funding in order to prevent a funding lapse. STIP amendments may also be requested to delete project funding or to add a new project into the STIP.

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**Important Tip:** Once a state fiscal year (July 1 – June 30) has begun, the CTC will not allow STIP amendments to delete or change the funding programmed in that fiscal year. Instead, the project sponsor may request a one-time extension as described below.

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#### **One-time Extension Requests**

SB 45 established deadlines for allocation, contract award, expenditure and reimbursement of funds for all projects programmed in the STIP. The CTC may, upon request, grant a one-time extension to each of these deadlines for up to 20 months. However, the CTC will only grant an extension if it finds that an unforeseen and extraordinary circumstance beyond the

control of the responsible agency has occurred that justifies the extension. Furthermore, the extension will not exceed the period of delay directly attributable to the extraordinary circumstance.

### **Roles and Responsibilities**

The STIP Amendment and Extensions process requires review and approval by various agencies to ensure the action requested is appropriate, and consistent with state statutes, CTC guidance, Caltrans procedures and regional policies. Projects must be included in a county Congestion Management Program (CMP) or county Capital Improvement Program (CIP), and must be consistent with the Regional Transportation Plan (RTP) to be programmed in the RTIP. Therefore, any additions or changes that may impact the priorities established within these documents must be reviewed and approved by the appropriate agency. Furthermore, improperly programmed funds or missed deadlines could result in funding being permanently lost to the region.

***Project sponsors*** are responsible for reviewing and understanding the procedures, guidance and regulations affecting projects programmed in the STIP. Each project manager and the individual responsible for submitting documentation for STIP amendments and extensions must have read and understood these policies and procedures, particularly the CTC STIP Guidelines available on the internet at <http://www.dot.ca.gov/hq/transprog/stip.htm> and the MTC RTIP Policies and Application Procedures posted on the internet at: <http://www.mtc.ca.gov/funding.htm>. Project sponsors are ultimately responsible for ensuring the required documentation is provided to Caltrans by the deadlines established by Caltrans for all allocations, extensions, and additional supplemental funds requests.

***The Congestion Management Agencies/Transportation Authorities*** are responsible for ensuring the packages submitted by the project sponsors are complete, and the proposed changes are consistent with the Regional Transportation Plan (RTP), and Congestion Management Plans (CMPs) or Capital Improvement Program (CIP). The CMAs/TAs check to ensure the proposed changes meet MTC, CTC and other state or federal guidance and regulations. As mentioned in the Guiding Principles of the 2004 RTIP Policies and Procedures, the CMA must consider equitable distribution of projects in accordance with Title VI. Following CMA/TA concurrence of the request, the complete package is forwarded to MTC.

***The Metropolitan Transportation Commission (MTC)***, as the Regional Transportation Planning Agency (RTPA) for the nine counties of the San Francisco Bay Area, provides concurrence for the STIP requests and formally submits all STIP Amendments to Caltrans for approval by the CTC. MTC also verifies compliance with established state and regional policies. Although MTC provides concurrence on extensions, additional supplemental funds requests and some allocation requests, it is the responsibility of the project sponsor, not MTC, to ensure the required documentation is submitted to Caltrans by the established deadlines for these action requests.

*The California Department of Transportation (Caltrans)* processes the requests and makes recommendations to the California Transportation Commission (CTC) in accordance with Department procedures and CTC policies and guidelines.

*The California Transportation Commission (CTC)* approves or rejects the requests based on state statutes and its own established guidance and procedures.

### **Requesting STIP Amendments and Extensions**

As described below, the procedures for processing STIP amendments and extensions vary depending on whether the project is sponsored by Caltrans or a local agency, and whether it has already received STIP funding.

### **Step I: Project Sponsor Requests STIP Amendment or Extension**

#### **For currently programmed Caltrans projects:**

- Caltrans and the appropriate CMA identify and discuss the issue(s) that may require an amendment or extension and notify MTC Programming and Allocations (P&A) Section staff that a change to the current STIP may be necessary and is being considered.
- Caltrans and CMA agree on proposed change(s).
- Where necessary, CMA staff requests policy board approval of proposed change.
- Once approved by the CMA, CMA notifies Caltrans in writing of the county's concurrence, with a copy sent to MTC P&A.
- Caltrans requests MTC concurrence for the STIP Amendment/Extension by transmitting the following to MTC P&A:
  - Letter requesting the STIP Amendment or Extension with explanation and justification of the need for the action with the following attachments:

#### **For a STIP Amendment:**

- Copy of CMA's letter of concurrence
- Revised RTIP Application Form – <http://www.mtc.ca.gov/funding.htm>
- TIP Amendment Form - <http://www.mtc.ca.gov/funding.htm>
- A construction 'STIP History' for each amendment that would delay the year of construction. The 'STIP History' outlines the project's construction history as programmed in the STIP with particular attention to any previous delays and reason for the previous and current delay. It must note the original inclusion of the project construction component in the STIP and each prior project construction STIP amendment delay including for each, the amendment date, the dollar amount programmed for construction, and the scheduled year of construction delay. It must also include a statement on the financial impact of the construction delay on the project, and an estimated funding source for the additional funds necessary to complete the project under the delayed schedule. (A STIP History is only required for amendments to delay the year of construction.)

**For an Extension:**

- Copy of CMA's letter of concurrence
- A construction 'STIP History' for each extension that would delay construction as described above for a STIP Amendment.

**For currently programmed local projects:**

- Sponsor and the appropriate CMA identify and discuss the issue(s) that may require an amendment or extension and notify Caltrans and MTC Programming and Allocations Section staff that a change to the current STIP may be necessary and is being considered.
- Sponsor and CMA agree on proposed change(s).
- Sponsor requests CMA concurrence for the STIP Amendment/Extension by submitting the following to the CMA:
  - Letter requesting the STIP Amendment or Extension with explanation and justification of the need for the action with the following attachments:

**For a STIP Amendment:**

- Revised RTIP Application Form - <http://www.mtc.ca.gov/funding.htm>
- TIP Amendment Form - <http://www.mtc.ca.gov/funding.htm>
- A construction 'STIP History' for each amendment that would delay the year of construction. The 'STIP History' outlines the project's construction history as programmed in the STIP with particular attention to any previous delays and reason for previous and current delay. It must note the original inclusion of the project construction component in the STIP and each prior project construction STIP amendment delay including for each, the amendment date, the dollar amount programmed for construction, and the scheduled year of construction delay. It must also include a statement on the financial impact of the construction delay on the project, and an estimated funding source for the additional funds necessary to complete the project under the delayed schedule. (A STIP History is only required for amendments to delay the year of construction.)
- Any other documentation required by the CMA or Caltrans

**For an Extension:**

- Copy of completed Request for Time Extension form (located on the internet at: <http://www.dot.ca.gov/hq/LocalPrograms>).
- A construction 'STIP History' for each extension that would delay construction, as described above for a STIP Amendment.
- Any other documentation required by the CMA or Caltrans
- Where necessary, CMA staff requests policy board approval of proposed request.
- Sponsor submits Caltrans' "Request for Time Extension" form and any other required documentation to Caltrans.

- CMA requests MTC concurrence for the STIP Amendment/Extension by transmitting a letter to MTC P&A requesting the STIP Amendment or Extension with explanation and justification of the need for the action along with the documentation submitted by the project sponsor. A copy of the request is also sent to Caltrans.

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**Important Tip:** For STIP Extensions, the CTC will only grant an extension if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. Furthermore, the extension will not exceed the period of delay directly attributable to the extraordinary circumstance, up to a maximum of 20 months. It is therefore absolutely necessary that the letter and supporting documentation clearly explains and justifies the extension request. Failure to provide adequate justification could result in an extension not being approved.

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**For all new projects:**

- Sponsor and the appropriate CMA identify and discuss the issue(s) that may require a new project to be added to the STIP and notify Caltrans and MTC Programming and Allocations (P&A) Section staff an amendment to the current STIP may be necessary and is being considered.
- Sponsor and CMA agree on proposed addition.
- Sponsor requests CMA concurrence for the STIP Amendment by submitting the following to the CMA:
  - Letter requesting the STIP Amendment with explanation and justification of the need for the project to be added to the STIP.
  - TIP Amendment form - <http://www.mtc.ca.gov/funding.htm>
  - RTIP Application form including: - <http://www.mtc.ca.gov/funding.htm>
    - Resolution of local support
    - Project nomination fact sheet (with maps)
    - Project nomination fund sheet
    - Local agency certification of assurances
    - Project Study Report (PSR), or equivalent.
    - Copy of State-Only Funding Request Exception Form (Only if requesting state-only funding and project is not on pre-approved state-only eligible funding list. Original request is to be submitted directly to Caltrans HQ Budgets for processing and approval prior to MTC submittal of the request to Caltrans/CTC).
- CMA staff obtains policy board approval of proposed addition.
- CMA requests MTC concurrence for the new project by transmitting a letter to MTC P&A requesting the STIP Amendment with an explanation and justification of the need for the project along with a copy of the CMA Resolution approving the project, and the documentation listed above provided by the project sponsor:

### **Step 2 : MTC Review and Concurrence**

- Once a complete request has been received, MTC P&A staff will place the request on the MTC Programming and Allocations Committee (PAC) meeting agenda for concurrence of major changes, or prepare a letter of concurrence for the Executive Director's signature for minor changes.
- Following approval by PAC and/or the Executive Director, MTC will sign Caltrans' Request for Time Extension form and send it with a Letter of Concurrence to Caltrans District 4 with a copy to the appropriate CMA. (District 4 will ensure that the request is copied to the appropriate contacts at Caltrans Headquarters and CTC.)

### **Major versus minor changes**

- All major changes, including any requests to program a new project, will be presented to MTC's Programming and Allocations Committee (PAC) to determine MTC's concurrence. Major changes include:
    - request to program a new project (or delete a project)
    - schedule delay that affects air quality conformity analysis
    - project advance with reimbursement or replacement project per AB 3090
    - request to use Grant Anticipation Revenue Vehicle (GARVEE) financing
  - For minor changes, MTC staff may write a letter of concurrence for the Executive Director's signature. Minor changes include:
    - Extension requests for allocation, award, expenditure and reimbursement/project completion deadlines
    - schedule changes, except where change implies major cost or delivery ramifications
    - changes in implementing agency or project sponsor
    - changes to project budget that are less than 20% of the total project cost or less than \$1 million.
    - redirection of funds from one project component to another (e.g. from project engineering into environmental)
    - changes considered routine and not impacting project delivery
- \* Amendments or extensions based on new federal or state requirements may need to go to MTC's PAC

### **Additional/Supplemental Funds**

On occasion it may be necessary to provide additional 'Supplemental' funding to a project as a result of cost increases or revised cost estimates. There are several different processes to follow depending on where the project is within its delivery schedule. The various methods to add STIP funding to a project are as follow:

**Biennial STIP Cycle:** If additional funding is identified years before the actual allocation, the project sponsor may request the funding through the biennial STIP adoption process. This process is outlined in MTC's RTIP Policies and Application Procedures.

**STIP Amendment:** If additional funding is identified prior to the allocation of funds, but is required prior to the next biennial STIP adoption, a STIP amendment adding the funds to the project may be requested as outlined in the STIP Amendment procedures above. However, in most cases the additional funds could be added at the time of allocation, thus foregoing the STIP amendment process.

**Additional Funds at Time of Allocation:** Often the simplest way to add supplemental funds is at the time of allocation. The process is the same as the procedures outlined above for a time extension, except that instead of a "Request for Time Extension" form, a "Request for STIP Funding Allocation" form is used (located on the internet at: <http://www.dot.ca.gov/hq/LocalPrograms>). In such circumstances, Caltrans does not have delegated allocation authority to allocate unprogrammed funds for a project, and therefore the additional funding must be approved by the CTC.

**Additional Funds After Allocation:** It may be necessary to seek additional funds after an allocation, either to award the project or due to unforeseen cost increases while the project is under construction. In either case, an analysis should be performed to determine whether re-engineering could achieve cost reductions to accommodate the increase. If additional funds are still necessary, a funding source outside the STIP should be pursued prior to seeking additional STIP funding. If it is determined that additional STIP funds are needed, then the project sponsor should proceed as with the procedures outlined for "Additional Funds at Time of Allocation". It should be noted that once the funds are allocated, the project sponsor does not have the option to add the funds through a STIP amendment since the CTC does not allow amendments to change the programming for a given component after the funds have been allocated.

### **Allocation of Funds**

Project sponsors request an allocation of funds directly to Caltrans, with Caltrans either allocating the funds under its delegated allocation authority or placing the request on the CTC Agenda for approval. In either case, the completed request package is due to Caltrans 60 days prior to the anticipated allocation of funds. In general MTC is not involved with the allocation process, however, under a few circumstances MTC concurrence is required as noted below:

**Local Road Rehabilitation Projects:** Allocation of funds for local road rehabilitation projects requires certification from MTC. Project sponsors should submit the "Pavement Management System Certification" form with the "Local Road Rehabilitation Project Certification" form attached (both found on the internet at: <http://www.dot.ca.gov/hq/LocalPrograms/lam/forms/locgrnt.htm>) directly to MTC for signature. MTC will then transmit the signed form to Caltrans District 4 – Local Programs. All other allocation request documentation should be sent directly to Caltrans District 4 – Local Programs.

**Allocation of State-Only Funds :** MTC concurs with all State-Only Funds allocations that are listed in the STIP as State-Only.

**Funds Allocated Differently than Programmed:** In some instances it may be necessary to allocate funds differently from what is programmed in the STIP. These situations generally still require MTC concurrence. Fortunately a STIP amendment may not be required, and the funding may be revised at the time of the allocation, thus avoiding the long STIP amendment process. However, A TIP amendment is still required if federal funds are involved. Changes that are allowed at the time of allocation are noted below, however, project sponsors should consult with Caltrans District 4 Local Programs, the CMA and/or MTC to determine whether a change at the time of allocation is permissible before preparing the allocation request.

- Change in implementing agency
- Cost savings (allocation less than program amount)
- Redirection of funds among project components or phases within the project as long as total STIP funding is not increased.
- Advancement of funding from future years (transit projects with funds to be transferred to FTA require a TIP amendment to advance funds)
- Change in funding type (a change to state-only funding requires approval from Caltrans with their “State-Only Funding Request Exception” form if the project type is not on the pre-approved state-only eligible funding list).

**STP/CMAQ/TEA Match Reserve:** Project sponsors must work with the applicable CMA/TA to obtain programming approval for STP/CMAQ/TEA match made available in the STIP. The CMA develops a countywide list for the use of the reserved funds and submits the list to MTC, who in turns provides Caltrans with the region-wide Match Program. Any deviation from this program, whether in the funding amount, project sponsor, or funding year, requires the CMA to resubmit an updated plan for the county to MTC. Caltrans cannot allocate the matching funds if they are inconsistent with the approved STIP - STP/CMAQ/TEA Match Program.

**Funds allocated as programmed in the STIP:** The allocation of funds as they are programmed in the STIP and TIP do not involve MTC, other than as noted previously. Project sponsors work directly with Caltrans District 4 local programs in obtaining the allocation.

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**Important Tip:** Although some minor changes in the allocation of funds may not require a full STIP amendment, most changes still require MTC concurrence, and possibly a TIP amendment and may even require a vote of the CTC rather than a simple Caltrans delegated allocation approval. Project sponsors are encouraged to consult with the CMA, and Caltrans District 4 prior to preparing any allocation request, to ensure sufficient time is allowed for processing the allocation request, particularly toward the end of the year when the Timely Use of Funds provisions of SB 45 are of critical concern.

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### **Timeline for STIP Amendment/Extension Approval**

Completed documentation requesting MTC concurrence must be received by MTC staff no later than the first day of the month prior to the month in which the request will be heard by the Programming and Allocations Committee (PAC). (For example, requests received by January 1 will be reviewed at the February PAC meeting). Subsequently, requests with completed documentation and MTC concurrence must be submitted to the Caltrans District Office 60 to 90 days prior to the CTC meeting where the item will be considered. Therefore, requests for concurrence need to be submitted to MTC generally 150 days prior to CTC action for STIP Amendments and 120 days prior to CTC action for extensions.

For example, a STIP amendment request to delay funding in the next fiscal year is due to MTC by January 1, so it may be approved at the February PAC Meeting, and then submitted to Caltrans in time for the 60-day due date of March 2, so it may be noticed at the May 2 CTC meeting for action at the June 6 CTC meeting.

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**Important Tip:** The CTC will not amend the STIP to delete or change the funding for any project component after the beginning of the fiscal year in which the funding is programmed. Therefore, all amendments to delay a project component must be approved by the CTC by the June meeting in the year prior to the programmed year of funding. To meet this deadline, amendments to delay delivery must be submitted to MTC no later than January 1 of the fiscal year prior to the fiscal year of the funding subject to delay.

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A due date schedule is prepared each year for the submittal of STIP requests. This schedule is posted on the internet at: <http://www.mtc.ca.gov/funding.htm>

### **STIP Amendment Form/TIP Amendment Form**

The forms necessary to initiate the STIP Amendment process may be downloaded from the MTC website at: <http://www.mtc.ca.gov/funding.htm>. The STIP nomination Fact and fund sheets posted on the Caltrans website should not be used for RTIP projects within the MTC region.

### **Contacts for STIP amendments/extensions:**

Name	Area	Phone	Email
Kenneth Folan	STIP	510.464.7804	kfolan@mtc.ca.gov
Ross McKeown	STIP	510.464.7842	rmckeown@mtc.ca.gov
Raymond Odunlami	TIP Amendments	510.464.7717	<a href="mailto:rodunlami@mtc.ca.gov">rodunlami@mtc.ca.gov</a>